

**REPORT OF THE IMPROVEMENT QUARTET:
COUNCILLOR JOHN CLANCY, COUNCILLOR BRIGID JONES, STELLA MANZIE AND
COLIN DIAMOND**

CHILDREN'S SOCIAL CARE AND EDUCATION: IMPROVEMENT AND CHALLENGES

The motion:

The Council welcomes and notes progress in children's social care and in education, and notes progress on the voluntary trust arrangement for children's services.

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 third of these reports.

2. Leadership of Children and Young People's Services

In April 2017, the Council reorganised the overall leadership of Children and Young People's Services as part of a wider reorganisation of the Corporate Leadership Team and Future Operating Model. The statutory Director of Children's Services and Director of Adult Services remits have been vested in separate posts. An interim Corporate Director for Children and Young People/Director of Children's Services has been appointed to lead on the establishment of the Children's Trust and continue the improvement journeys for children's social care and education.

3. Children's Social Care

3.1 Background

Previous reports to Council have 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. Those led to significant investment in the service, setting up a clear and consistent operational model, the establishment of clear lines of accountability through the "Quartet", 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.

Council noted the work that had commenced on setting up a voluntary Children's Trust, in the context of developing and sustaining good practice with a single focus on improving outcomes for Birmingham's most disadvantaged children and families against a backdrop of financial pressures. Agreement to set up a Children's Trust was made at Cabinet in January 2017. The Birmingham Children's Trust is seen as a vehicle to be able to attract and retain social workers, offer a competitive salary, and ensure good working conditions where staff

are well managed and supported alongside intelligent commissioning with a Board focussed upon delivery.

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 Ofsted full inspection in September 2016 without service disruption, and there is growing confidence in and evidence of purposeful direct work with children and families.

A children's social care infographic and the May 2017 scorecard for children's social care are appended as **Appendix A and B respectively**.

3.2 Ofsted inspection 2016

Ofsted conducted a full inspection of Birmingham children's social care in September/October 2016. The inspection was intense and forensic and, whilst it provided a good deal of detailed learning to help shape our continuing improvement, there were no surprises in that our self-assessment before the inspection identified the same key issues.

The Ofsted inspection provided very valuable learning to the Council and partners and highlighted matters that still needed to be addressed. The proposed move into a Children's Trust with a single focus on excellent practice with vulnerable children and families will assist with addressing those matters.

Ofsted judged that the Council remained inadequate overall but with three areas of improvement rated as requires improvement (e.g. looked after children, care leavers and adoption). 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" (Children's Advice and Support Service/Multi-Agency Safeguarding Hub) - and out to the areas in a timely way. 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.

In response to the inspection a new improvement plan was developed incorporating the Ofsted recommendations. A focus of the improvement has been the continued development with partners of the front door (CASS/MASH) to make referral easier and to be more responsive. We now have a "call abandoned" rate of under 5% and no delays in processing e-mail referrals. Work that can be passed to early help or family support is now done so quickly. We track referrals in our system by running a data report twice a day with the aim of processing all contacts (over one thousand a week) within 48 hours.

There has been a similar drive to improve our processes with partners for children at risk of child sexual exploitation (CSE) and who go missing from home or care. In April this work was presented to the Schools, Children and Families Overview & Scrutiny Committee, who have helpfully kept a focus on these areas and they commented on the good progress.

We continue to strengthen our case audit system, including social work reflection and parents' feedback. Case audit is critical to drive practice improvement. Learning from cases and from complaints is gathered together into a quarterly learning bulletin.

3.3 Ofsted monitoring visit 2017

Ofsted returned on 9 and 10 May 2017 for a monitoring visit focusing on our front door CASS/MASH, and on CSE and Missing. A letter with the findings of the monitoring visit was published in June. Ofsted found that:

- Birmingham children's services have made steady progress and taken some important steps in improving services.
- Since the last inspection leaders and managers have worked hard to make a range of necessary improvements.
- Although substantial further progress is required before services are consistently good, in a number of key areas children in Birmingham are receiving better and timelier services and this represents notable progress.
- From a low base, the focused efforts by the Council and its partners have improved the quality of services for young people at risk of sexual exploitation or who go missing.

Ofsted again commented on the good morale of the staff they met with.

3.4 Children's Trust

In July 2016 the Council's Cabinet formally agreed the case for change and in January 2017 the establishment of a Trust was agreed as a wholly owned company.

Since then:

- there has been engagement with staff, trade unions and partners and further work on clarifying Trust scope and funding requirements.
- Andrew Christie has been appointed Trust Chair in accordance with the all-party appointments procedures of the Council.
- the Trust Chief Executive has been recruited and will start on 14 August 2017.
- six non-executive directors have been appointed.
- governance, accountability and assurance arrangements, including Articles of Association and a Memorandum of Understanding between the Council and the DfE have been prepared. Subject to testing and refinement during the shadow period, these will form the basis of a Service Delivery Contract between the Council and the Trust.

On 25 July 2017, Cabinet will consider a report on:

- children's social care and related support services in scope to transfer to the Trust.
- the approach to the transfer of staff from the Council to the Trust at April 2018.
- the indicative 2018/19 Trust budget.

Partners have indicated support for the Trust as an opportunity for better integration and collaborative working. Partners have been involved in programme management and shadow governance arrangements. Recognising that the Trust would be part of a wider system of agencies and partners which share the aim of securing better outcomes for children and young people, there is a commitment to building stronger relationships and behaviours around a shared vision, values and leadership of the system.

Throughout this process there has been recognition of the importance of staff and managers delivering the service not being destabilised or distracted, but being informed and having opportunities for engagement.

3.5 Workforce

The early help and children's social care service has remained calm and stable during Children's Trust discussions and it has responded well to Ofsted scrutiny. Staff remain enthusiastic and committed.

Recruitment and retention remains a key issue including improving the quality and capacity of the workforce. Agency staff numbers have fallen by about 40 to 20% in the last 6 months, but it is still proving difficult to recruit and retain experienced social workers because of the limitations of the Council's current pay scheme. It is intended that the Children's Trust will enable greater focus and flexibility in workforce matters.

3.6 Summary statement

Although there are still significant challenges ahead, it is pleasing to note many of the improvements cited in the Ofsted inspection report and monitoring visit. 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 voluntary Children's Trust arrangements, with Andrew Christie as the Chair and a full Board in support, will provide confidence in this improvement continuing. Our focus in coming months will be on ensuring that good practice is fully embedded and the improvements made are further developed and consolidated.

4. Education

4.1 Background

In September 2014, the Secretary of State appointed Sir Mike Tomlinson as Education Commissioner in response to the issues that emerged following publication of the Trojan Horse letter and 21 Ofsted inspections of academies and schools. From September 2014 until July 2016, the Education Quartet met fortnightly to oversee delivery of the Education Improvement Plan which had been signed off by the Secretary of State in January 2015. Sir Mike reported monthly to the Secretary of State and the Council's Chief Executive. Overall, he reported rapid progress and over 90% of the Education Improvement Plan was delivered on time (the remaining elements were not critical to the recovery journey from Trojan Horse). Feedback from DfE, Ofsted and local stakeholders was positive. The strength of the political and officer leadership was recognised. In view of the progress and capacity to improve further, the Education Commissioner's tenure was ended by the Secretary of State in July 2016.

4.2 Maintaining progress post-intervention

The challenge was then to maintain progress at the end of the intervention and incorporate plans to strengthen further the Council's leadership, management and capacity of education into "business as usual" planning. At the heart of the recovery journey has been the establishment of effective partnerships following the isolation and fractured working relationships that were a feature of the Trojan Horse years. The Birmingham Education

Partnership (BEP), a headteacher led organisation with over 300 members, now works in strategic partnership with the Council to deliver its school improvement duties via a 3 year contract. The Council now knows all schools in the city much better and the quality of targeted intervention in vulnerable schools has improved strongly. Schools are no longer isolated and vulnerable to the pressures from non-violent extremism.

4.3 Partnership working

The Council meets monthly with BEP, DfE/Regional Schools Commissioner and Ofsted at the Education Improvement Group to ensure a joined up approach to working with maintained schools, academies/free schools and independent schools. There is an annual stocktake of progress chaired by the National Schools Commissioner who advocates Birmingham's approach to other core cities.

The Education Sub-Group of the Birmingham Safeguarding Children Board is performing well with 100% representation from across the city including early years and general further education colleges. Schools are very supportive and 94% of them have completed the statutory S175 Safeguarding audit on time in April 2017.

4.4 BEP's engagement with schools - September 2016 to August 2017

The Council contracts BEP to deliver school improvement targeted activity for maintained schools identified as causing concern. Through a systematic approach with clear processes and procedures of intervention identified by levels of the concern, BEP brokers the delivery of improvement activity for schools causing concern. BEP takes a lead role in the co-ordination of a system-led improvement against a set of key performance measures 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, Ofsted outcomes and the annual service plan which includes the measured progress of the identified key priorities for specific development across all Birmingham schools.

During the academic year 2016/17 BEP has worked with all Birmingham schools and has continued to gather soft intelligence to inform both BEP and the Council on the position of schools across the city. The school improvement specific areas of foci, based on data, research and the information gathered during the academic year 2015/16 were Reading at KS2 and Raising the Attainment of Disadvantaged Youngsters (RADY) in KS3/4. End of KS2 results will give an indication of progress of the schools targeted in reading and an evaluation of the Rapidly Raising Reading project is in stream. The RADY project concentrated on strategic approaches to raising attainment of disadvantaged youngsters and is not measurable in the first year by pupil outcomes. Engagement of the secondary schools both maintained and academy has been productive in a series of good practice sharing events.

There has been a range of other engagement activities during the 2016/17 academic year, including District Strategy Group meetings, Ofsted training events and Peer to Peer reviews and training.

4.5 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 where, with targeted and systematic support, monitoring and challenge from BEP, a Good judgement has been secured from a previous position of Requires Improvement:

“The school has received helpful support and challenge from the Birmingham Education Partnership. The school also liaises with a number of neighbouring schools with regard to standards and checking the quality and accuracy of assessment.”

Primary School report – March 2017

4.6 Current Ofsted position

LA Maintained

| Phase | Total Schools | Outstanding | | Good | | Requires Improvement | | Inadequate | |
|--------------|---------------|-------------|------------|------------|------------|----------------------|------------|------------|-----------|
| | | Count | % | Count | % | Count | % | Count | % |
| Nursery | 27 | 14 | 52% | 13 | 48% | 0 | - | 0 | - |
| Primary | 189 | 40 | 21% | 123 | 65% | 21 | 11% | 5 | 3% |
| Secondary | 26 | 6 | 23% | 13 | 50% | 3 | 12% | 4 | 15% |
| All Through | 2 | 1 | 50% | 0 | - | 0 | - | 1 | 50% |
| Special | 24 | 12 | 50% | 9 | 38% | 2 | 8% | 1 | 4% |
| PRU | 1 | 0 | - | 1 | 100% | 0 | - | 0 | - |
| Total | 269 | 73 | 27% | 159 | 59% | 26 | 10% | 11 | 4% |

| Good/Outstanding | | Special Measures | |
|------------------|------------|------------------|-----------|
| Count | % | Count | % |
| 27 | 100% | 0 | - |
| 163 | 86% | 5 | 3% |
| 19 | 73% | 4 | 15% |
| 1 | 50% | 1 | 50% |
| 21 | 88% | 1 | 4% |
| 1 | 100% | 0 | - |
| 232 | 86% | 11 | 4% |

Academies

| Phase | Total Schools | Outstanding | | Good | | Requires Improvement | | Inadequate | |
|--------------|---------------|-------------|------------|-----------|------------|----------------------|------------|------------|-----------|
| | | Count | % | Count | % | Count | % | Count | % |
| Nursery | 0 | 0 | - | 0 | - | 0 | - | 0 | - |
| Primary | 109 | 19 | 17% | 59 | 54% | 24 | 22% | 7 | 6% |
| Secondary | 54 | 20 | 37% | 22 | 41% | 6 | 11% | 6 | 11% |
| Secondary | 52 | 19 | 37% | 22 | 42% | 6 | 12% | 5 | 10% |
| All Through | 2 | 1 | 50% | 0 | - | 0 | - | 1 | 50% |
| Special | 3 | 1 | 33% | 1 | 33% | 0 | - | 1 | 33% |
| PRU | 4 | 0 | - | 2 | 50% | 1 | 25% | 1 | 25% |
| Total | 170 | 40 | 24% | 84 | 49% | 31 | 18% | 15 | 9% |

| Good/Outstanding | | Special Measures | |
|------------------|------------|------------------|-----------|
| Count | % | Count | % |
| 0 | - | 0 | - |
| 78 | 72% | 7 | 6% |
| 42 | 78% | 4 | 7% |
| 41 | 79% | 3 | 6% |
| 1 | 50% | 1 | 50% |
| 2 | 67% | 1 | 33% |
| 2 | 50% | 1 | 25% |
| 124 | 73% | 13 | 8% |

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.

**Includes all published outcomes to 12th June 2017*

4.7 Academic performance 2016/17

The Key Performance Indicators (KPIs) contained within the contract need to be revised in light of the changes in assessment, school performance measures and the changes to the overall contract. Because of this the data from 2015/16 will be comparable to 2016/17 but not to previous years.

BEP's Academic Performance Report will be based on the first release of unvalidated data for primary and secondary schools. The unvalidated data is released in the Autumn term. The validated data will be released at the end of 2017 and beginning of 2018.

Priority action planning by BEP will be based on the analysis of the unvalidated data.

4.8 Funding of BEP

Funding for the Council's school improvement contract with BEP is secure until March 2018 as Schools Forum approved £1.080m for the financial year 2017/18. The Council was not able to supplement this funding as in the first year of the contract the Education Support Grant from the DfE was ended which resulted in the Council losing around £9m. The DfE has re-introduced some funding for school improvement in maintained schools and it is anticipated that c.£450k will be allocated to the Council in September 2017 (assuming there is no change of policy following the General Election). Most of the c.£450k will be allocated to BEP but a small amount must be retained by the Council to provide school data management. The funding position will be reviewed in the Autumn. If no funding streams are secured, the Council will have to give six months' notice to terminate the contract.

4.9 Safeguarding in education

Improving safeguarding and governance were core ingredients of the original Education Improvement Plan. Work continues to strengthen and consolidate progress. Safeguarding in Education is now co-ordinated by a dedicated Assistant Director. To ensure effective multi-agency working on child protection, there are senior education professionals embedded in the CASS/MASH children's social care front door. This has led to better management of referrals from schools. Capacity has also been increased to manage children educated at home (EHE – elective home education). We now know much more about this group, their motives for EHE and keeping them visible via safe and well checks. We have now set up a virtual school for EHE to begin to build in wider curriculum opportunities. Ofsted's monitoring visit in June 2016 revealed that too many children had been out of school for too long. This has now been addressed and numbers have dropped. All children out of school now receive some form of education, normally one-to-one or small group tuition, as a holding operation whilst their long-term placement is secured.

Capacity has also been increased to ensure greater support for headteachers and governors in our schools who face challenges from socially conservative elements of the community. This can manifest as reticence from parents about some aspects of the curriculum (PSHE, sex education, mixed swimming, music, RE etc.) or dress codes in school. The Council has a unique Curriculum Statement, signed by Cabinet Members and underpinned by the 2010 Equalities Act, which states unequivocally that all Birmingham children are expected to study the full range of subjects as an entitlement.

The Council has also adopted the No Outsiders approach, produced by a local school, to ensure that all groups protected by the 2010 Education Act are included. Almost 200 schools have now signed up to the UNICEF Rights Respecting Award (including nurseries and special schools) which enables pupils to understand the importance of fundamental British values through participation and engagement. All schools have been trained on the Prevent duties as required, but the UNICEF and No Outsiders approaches are the routes to long-term

community cohesion for young people. Additionally, a bank of inclusive curriculum materials and approaches is being developed for storage on the BEP portal.

4.10 Addressing safeguarding risks

The biggest risks in education now lie in the independent school sector and the unregulated sector. There are over 50 independent schools in the city ranging from old-established schools to new ones that regularly appear. There had been a number of unlawful independent schools operating but they were closed following highly effective collaboration between Ofsted, DfE and the Council. As a result of issues raised with Ofsted and DfE, Ofsted strengthened its approach to suspected unlawful schools. For those independent schools operating lawfully, we have created an Independent Schools Forum which runs in parallel with all the other school fora. It has been well received and over 100 representatives attended the most recent meeting. Most of these schools now complete the statutory annual S175 safeguarding audit.

However, as a result of whistleblowing which has regularly raised concerns about issues including teaching of extremist views, physical punishment and unsuitable proprietors, we have worked closely with Ofsted, West Midlands Police/Counter Terrorism Unit and DfE to investigate. As a result, some schools have closed and others been threatened with removal of their registration by DfE.

Finally, it is difficult to quantify risk in the unregulated sector. We have produced guidelines on safeguarding for the unregulated sector which were well received. But we have few formal powers here and the risks that these places could be used to inculcate extremist views cannot be adequately assessed.

4.11 Inclusion

The Inclusion Commission, established by Cabinet Member Councillor Brigid Jones, has now agreed the way forward for special educational needs and disabilities in Birmingham and that is now out to consultation.

The Commission was chaired by Professor Geoff Lindsay from the University of Warwick, a recognised national expert.

There was full participation from parent groups, health, social care and education. Birmingham now has a clear way forward to address its over-reliance on special school places outside the city and to develop its own internal capacity.

The draft strategy outlines the direction of travel for the next 3 years and includes a high level implementation plan to guide the necessary actions.

The work will include developing the provision in the city to ensure all mainstream schools are inclusive and well-funded to meet a wide range of needs and also that the city's special school sector can cater for complex needs and provide for young people up to the age of 25.

There will be a strong focus on using all available resources more effectively and bringing expenditure under control. Close monitoring of expenditure and work to reduce the costs of independent provision are already underway.

4.12 Travel Assist

The service was the subject of a root and branch review in Autumn 2016. Since then great progress has been made to modernise the service and address previous issues. A Strategic Steering Group has been established which oversees these improvements.

Changes include a full benchmarking review of delivery against other Local Authorities, greater contract management to make providers more accountable, re-establishing relationships with headteachers and key stakeholders such as SENDIASS, Elected Members and the parent carer forum. In addition, an Independent Travel Training Programme has been introduced. A new Head of Service has been appointed and a staffing redesign has been completed. The service has also just purchased a routing system that will reduce costs and the time children spend on transport. Complaints have dramatically reduced, and the team are working hard to meet with parents and headteachers to talk through options for the Autumn term 2017/18.

However, challenges remain in delivering such a major change programme for a large service (4,000 children on specialised transport). Improvements need to continue to be made to communications and internal processes to handle the number of enquiries the team receives on a weekly basis and there are still issues with the reliability of some routes. Monthly budget meetings are held with finance colleagues to ensure that the service can meet its saving targets and there will be a new commissioning process to re-procure the transport provision.

4.13 Fair Access and In-Year Admissions

A new co-construction approach, with headteachers, in the delivery to fair access and in-year admissions is making good progress and consultation with schools on a new Fair Access Protocol is scheduled for the Summer term. This will enable a streamlined, transparent and equitable approach to in-year admissions for vulnerable children that is co-ordinated across all schools.

4.14 Early Years Health and Wellbeing Offer

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 new offer will bring together the services currently delivered by health visitors, children's centres and various parenting support services into a fully integrated Early Years Health and Wellbeing Service within one single system. The procurement process has been completed and a new lead organisation, Birmingham Community Healthcare NHS Trust, was announced on 9 June.

A second phase of public consultation is being held from 19 June until 17 August 2017, to consult the public on the changes proposed at a local level. The consultation will seek views on proposed delivery locations and opening hours and will seek views to inform the final model. It is proposed that the model will deliver services based on the 10 districts, and there will be at least one children's centre hub in each. The hubs will be open from 9am-5pm Monday to Friday. Extended opening hours from 5pm-8pm in the evening will be available at least once a week and one weekend a month, either Saturday or Sunday, where local parents need and use them most. In addition it is proposed that there will be a number of

satellite delivery sites that will offer some form of service delivery on a sessional basis (i.e. three hour weekly sessions) in a number of other locations within the local community. There will also be Well-baby Clinics run by Health Visitors at a number of GP practices and health centres across the city. These clinics will provide parents with additional opportunities to access support on a number of issues, for example the health and development of babies, and children.

The focus for the development of the new model has been on the delivery of services rather than the buildings they are delivered from, which has enabled more of the resource to be protected for front-line delivery. A separate process of consultation for affected staff will take place and will be informed by the outcomes of the public consultation to enable meaningful discussions.

Work on the mobilisation of the contract is continuing in partnership with the new lead organisation, with many complex issues to work through particularly connected to the current children's centres buildings and IT systems. A comprehensive project management plan is in place.

4.15 School places

Birth rates have declined for the Nursery and Reception cohorts in 2017. Conversely, as net migration increases, there is pressure for places in some parts of the City in years 1-6 and schools are being approached to open additional "bulge" classes to help meet this demand. Demand for secondary places is growing and this is set to continue until 2021. The Education Infrastructure team has been working very constructively with the Education and Skills Funding agency on the location and opening times of four Free Schools approved by the DfE in Wave 12. It has been agreed that all four of these schools will be in areas identified by the Council as priority need. There is sufficient capacity to meet increased demand in 2017 and we expect there to be an appetite among existing schools for sufficient new places to be created until Free Schools are opened from 2019/20 onwards.

4.16 Summary statement

The long-term challenges relate to securing social cohesion in this diverse city. We have not yet harnessed the voices of children and young people when planning for the Birmingham of the future. Now is the time to do that. The risks of greater social fragmentation are all too apparent. 64% of young people from Edgbaston go to university: 11% of young people from Shard End (HEFC figures). Trojan Horse was rooted in lack of aspiration for British Pakistani children and we know that economic alienation is a road to extremism. The direction of travel on education attainment and progression into secure adulthood, as illustrated by the figures above, must inform radical planning horizons for the future.

The latest Education infographic is attached as **Appendix C**.

Appendices

Appendix A: Infographic children's social care

Appendix B: Performance scorecard children's social care

Appendix C: Infographic education service