

# **CORPORATE PARENTING SUB COMMITTEE**

Agenda Item 39

Brighton & Hove City Council

<b>Subject:</b>	<b>New Ofsted Inspection Framework relating to Children in Care of the Local Authority</b>		
<b>Date of Meeting:</b>	<b>17 April 2013</b>		
<b>Report of:</b>	<b>Director of Children's Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Andy Whippey</b>	<b>Tel: 29-5391</b>
	<b>Email:</b>	<b>andy.whippey@brighton-hove.gov.uk</b>	
<b>Key Decision:</b>	<b>No</b>		
<b>Ward(s) affected:</b>	<b>All</b>		

## **FOR GENERAL RELEASE**

### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The purpose of this report is to inform the Board of proposed changes to the Ofsted framework relating to inspections of the services for Children in Care.
- 1.2 The report will highlight –
  - i. the previous inspection regime
  - ii. identify the drivers for change
  - iii. clarify the current inspection process
  - iv. identify what we know about the new Children in Care inspection process

### **2. RECOMMENDATIONS:**

- 2.1 That members of the Corporate Parenting Committee note this report and the implications for the City Council's provision for children in care.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 Prior to July 2012, all Authorities were inspected under the SLAC Inspection framework (Safeguarding and Looked After Children).
- 3.2 There were 12 judgements relating to Children in Care under the SLAC framework, in addition to 10 in relation to safeguarding.

3.3 The judgements in relation to Children in Care focussed on –

- i. overall effectiveness
- ii. capacity for improvement
- iii. staying safe
- iv. being healthy
- v. economic well being
- vi. enjoying and achieving
- vii. making a positive contribution and user engagement
- viii. quality of provision
- ix. ambition and prioritisation
- x. leadership and management
- xi. performance management and quality assurance
- xii. equality and diversity

3.4 The gradings in the 2011 inspection of Brighton and Hove Services were as follows –

- |       |  |   |             |
|-------|--|---|-------------|
| i.    | overall effectiveness                              | - | adequate    |
| ii.   | capacity for improvement                           | - | good        |
| iii.  | staying safe                                       | - | good        |
| iv.   | being healthy                                      | - | outstanding |
| v.    | economic well being                                | - | adequate    |
| vi.   | enjoying and achieving                             | - | adequate    |
| vii.  | making a positive contribution and user engagement | - | adequate    |
| viii. | quality of provision                               | - | adequate    |
| ix.   | ambition and prioritisation                        | - | good        |
| x.    | leadership and management                          | - | adequate    |
| xi.   | performance management and quality assurance       | - | adequate    |
| xii.  | equality and diversity                             | - | adequate    |

3.5 The gradings definitions applied are as follows –

*Outstanding – a service that significantly exceeds minimum requirements*

*Good – a service that exceeds minimum requirements*

*Adequate – a service that only meets minimum requirements*

*Inadequate – a service that does not meet minimum requirements*

3.6 In addition to making gradings relating to certain areas, Inspection Reports also made specific recommendations for improvement. The specific recommendations relating to Children in Care were as follows –

### 3.6.1 Immediately

- i. all looked after children and young people are allocated to a qualified Social Worker.

### 3.6.2 Within 3 months

- i. ensure looked after reviews and pathway plans identify cultural and identity needs and plan how these needs are met
- ii. establish effective and coherent systems for the involvement of looked after children and young people in strategic decision making to influence service improvement
- iii. ensure The Pledge is disseminated in a meaningful way. (The Pledge is a document which details to children the expectations they can have regarding the services we provide to them).
- iv. to consolidate progress at Key Stage 4
- v. Corporate Parenting Board to be more robust and challenging, particularly in the area of ensuring access to employment/training opportunities

### 3.6.3 Within 6 months

- i. establish a more coherent pre and post 16 education provision

3.6.4 An action plan was devised in response to the inspection recommendations and this has been reviewed on a number of occasions to reflect progress made.

3.6.5 Specific actions have been implemented, for example there is now a working group looking at how children in care can become more meaningfully included in decision making. There are now 3 sub groups of the children in care council who meet on a regular basis and are able to articulate views about their care experiences.

Progress has been made against all of the actions with the specific exception of all looked after children and young people being allocated to a qualified social worker. Given the number of unqualified social workers it has not proved possible to allocate all children in care to a qualified social worker. There is however in place very clear supervisory and quality assurance processes relating to the work of unqualified social workers.

3.6.6 There have been no specific inspections relating to Children in Care since July 2012. Separate inspections of Fostering and Adoption Services have continued. In 2012 Brighton and Hove had separate inspections of Fostering and Adoption Services, the outcome of both of these inspections was extremely positive. Both services received gradings of good/outstanding.

3.6.7 In terms of safeguarding, all Local Authorities who were inspected as either inadequate or adequate under the Safeguarding and Looked After Framework

will be inspected under the 'Inspection of Local Authority arrangements for the protection of children'.

3.6.8 Brighton and Hove have been exempt from this having taking part in a Pilot Inspection in November 2011. This inspection regime was due to finish in July 2013, with proposals for a new inspection framework entitled 'Joint Inspection of multi-agency arrangements for the protection of children'. This would involve Ofsted, the Care Quality Commission (CQC), Her Majesties Inspectorate of Probation, and Her Majesties Inspectorate of Prisons, delivering a joint inspection framework.

3.6.9 However, the multi-agency Safeguarding inspection framework has been delayed and it is unlikely to be introduced before the end of the year.

3.6.10 Alongside the consultation on a new multi-agency safeguarding inspection, there have been proposals for combined Inspections of Children in Care, due to start from May 2013. If this comes into effect, there will no longer be separate inspections of Fostering and Adoption Services. This is on the basis of the need to have a streamlined inspection framework and a more effective way to understand the experiences and care of children looked after. The inspection would be carried out by Ofsted along with the Care Quality Commission.

3.6.11 The new inspection framework would focus on –

- i. the effectiveness of Local Authorities as Corporate Parents
- ii. the provision of health services for children who are looked after
- iii. the quality of professional practice including the protection of children who are looked after
- iv. impact of the care given on children and young people
- v. effectiveness of shared professional responsibility for their outcomes

3.6.12 During the consultation process it was agreed there would also be a focus on –

- i. the experiences of care leavers, listening to all children and young people looked after, not just those who are part of the Children in Care Council
- ii. health services and outcomes for children and young people,
- iii. the particular importance of evaluating outcomes for children and young people in out of area placements
- iv. the emotional well being of children and young people
- v. effectiveness use of resources within the children's partnership

3.6.13 Self assessment is a significant factor in terms of inspection activity and Inspectors will check how well each area knows its service, how data is collected, and how it is utilised to address deficiencies.

3.6.14 In terms of inspection activity, Inspectors will be interested in two major themes –

#### IMPACT and OUTCOMES

3.6.15 Inspectors will –

- i. observe direct practice with children looked after and care leavers
- ii. reading and discussing case files with Practitioners and Managers
- iii. accompanying Social Workers or other key personnel in children's lives on visits
- iv. observing Children's Reviews and other key meetings
- v. evaluating the quality of education, employment and training
- vi. meeting with people who have a key role in the life of children/young people
- vii. focus on the child's journey from need to receiving help

3.7 In terms of outcomes it is likely that the inspection will particularly focus on –

- i. outcomes for children placed out of area
- ii. permanence and stability for placements for children
- iii. health and well being (particularly the arrangements for securing the emotional health of children looked after
- iv. participation and involvement of children in individual and strategic decision making
- v. how effective the Children in Care Council supports the views of Children in Care
- vi. how lessons are learnt from complaints and used to improve service delivery
- vii. social outcomes for Children in Care (e.g. how many engage in After School Clubs) to ensure they enjoy as well as achieve

3.8 Educational outcomes for Children in Care

- i. the quality of Personal Education Plans with evidence of actions being implemented
- ii. the arrangements for the Virtual School
- iii. what support is there for individual children who may not make certain key attainment level e.g. level 4 at Key Stage 2
- iv. how choices of schools are made
- v. examination of attainment, attendance and exclusion data
- vi. looking at the progress children make in care i.e. the difference between the point they become looked after and now

3.9 Safeguarding

- i. there is likely to be a great emphasis on children missing from care looking at procedures, conducting interviews with children when they return, what changes we make to children's plans when they abscond
- ii. how children are safeguarded in placement (i.e. how do we respond to any allegations or concerns, and how do we ensure placements are meeting children's needs
- iii. do we pay particular attention to vulnerable groups within our looked after children population such as children with Special Educational Needs

### 3.10 Quality of assessments, placement matching

- i. how are the needs of children/young people assessed
- ii. how are needs met particularly contact (with family, extended family) and identity
- iii. compliance with care planning regulations
- iv. how plans for permanence are made to ensure that stable long term placements are sought for those children who need long term care
- v. how children/young people are involved in the process
- vi. the quality of sufficiency planning for children in care, 'including the extent to which the Local Authority and its partners made plans to provide local placements that can meet the needs of the children in their care'.

3.11 The sufficiency duty defines the expectation that 'Local Authorities must take steps that secure, so far as reasonably practicable, sufficient accommodation within its area to meet the needs of children that it is looking after'. (*Statutory Guidance on Securing Sufficient Accommodation for Looked After Children (2010)*).

### 3.12 Effectiveness of Corporate Parenting

- i. evidence of Corporate Parenting initiatives
- ii. effectiveness of Corporate Parenting in terms of prioritising the needs of Children in Care/young people in terms of Council Services and influencing performance
- iii. evidence of challenging performance
- iv. evidence of using performance data
- v. evidence of how Elected Members, Chief Executive, Directors are in touch with Children in Care

### 3.13 Transitions/milestones

- i. there will be an emphasis on care leavers and outcomes for care leavers at age 19, 20, 21
- ii. outcomes in relation to –
  - a. emotional health
  - b. education, employment, training (particularly numbers in higher education)
  - c. accommodation
  - d. offending

3.14 The inspection is also likely to look at –

- i. links in with Adult Services
- ii. quality of Pathway Plans
- iii. transition planning for children/young people
- iv. involvement of care leavers in service planning

### 3.15 Permanence

3.16 Permanence is a combination of emotional, physical and legal permanence which give a sense of security, safety, emotional attachment, continuity, commitment and identity.

3.17 Adoption is a vital route to achieving permanence for many young children and given the high profile of adoption currently, will be a specific inspection focus concentrating on –

- i. identification – extent to which the Local Authority identifies those children who should (and should not) be adopted
- ii. timelines – adoptive process is free from delay and progress is made in line with the timetable for the child
- iii. safety – adoptive placements which are safe, secure, sustainable and do not break down
- iv. matching – extent to which children are carefully matched without delay in families who can meet their needs
- v. adoption support – extent to which children adopted are able to secure support
- vi. breakdown – the extent to which any lessons are learnt from any breakdowns and inform strategy and planning

3.18 Inspectors will look at a number of cases (exact number not yet known, but will be a minimum) and likely to be at differing stages of a child's journey, including children/young people with amongst others –

- i. issues of offending behaviours
- ii. issues relating to substance misuse
- iii. SEN
- iv. disability
- v. history of placement moves
- vi. looked after for more than two years
- vii. subject to a Placement Order for more than twelve months
- viii. histories of non school attendance or not in education, employment or training
- ix. Key Stage 4 where not likely to achieve 5 A-Cs
- x. health issues
- xi. change of care plan (for example from adoption to long term fostering)

3.19 Initially it was proposed that the inspection would be unannounced, however information gathered during the pilots indicated that unannounced does not work so well for inspections of looked after children. It is likely, therefore, that a five day notice period will be given in order for inspection activity to be set up.

- 3.20 Judgements in the inspection will be made on –
- i. overall effectiveness
  - ii. outcomes for children and young people looked after and care leavers
  - iii. quality of practice
  - iv. achieving permanence, including a sub judgement on adoption performance
  - v. leadership and governance
- 3.21 For each judgement, a four point grading scale, outstanding, good, adequate or inadequate will be used. Ofsted have indicated the published framework will be in April 2013.
- 3.22 There is now a proposal from Ofsted that the grade of adequate in Local Authority Social Care Inspections should be replaced with 'requires improvement'.
- 3.23 Ofsted are also proposing that a judgement of inadequate in any contributory judgement – for example, the quality of practice is likely to mean that overall effectiveness will be judged inadequate.

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 It is essential to involve children, young people and carers in on-going work to support children in care.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 There are no financial implications as a direct result of the recommendations of this report.

*Finance Officer Consulted: David Ellis*

*Date: 18.3.13*

##### Legal Implications:

- 5.2 The Local Authority have statutory duties towards the children in their care and are charged with providing services to them that provide them with safety, stability and outcomes for the future. The involvement in Ofsted in assessing the performance of Local Authority's nationally is an important one.

*Lawyer Consulted: Name Andrew Pack*

*Date: 8<sup>th</sup> April 2013*



#### Equalities Implications:

- 5.3 The aim of Ofsted and the on-going work of Local Authorities is to improve the current inequity of outcomes for children in care.

#### Sustainability Implications:

- 5.4 The services have to be sustainable, efficient and effective.

#### Crime & Disorder Implications:

- 5.5 Reduction in offending behaviour, and becoming victims of crime is a key aim of the work to support children in care.

#### Risk and Opportunity Management Implications:

- 5.6 There is a considerable reputational, and financial risk if inspection outcomes are not good.

#### Public Health Implications:

- 5.7 Public health has a key role to play in supporting children in care.

#### Corporate / Citywide Implications:

- 5.8 This a key role for the local authority.

### **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 None

### **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 It is important that members are aware of inspection requirements and are involved in assessing services against the outcome framework.

### **Background information**

1. Current Ofsted inspection framework for adoption and fostering
2. Proposed new Ofsted inspection framework for children in care.
3. Previous Brighton and Hove inspection reports

