

CHESHIRE EAST COUNCIL

REPORT TO: Children and Families Scrutiny Committee

Date of Meeting:	15 February 2011
Report of:	Lorraine Butcher, Director of Children's Services
Subject/Title:	Safeguarding Update
Portfolio Holder:	Councillor Hilda Gaddum

1.0 Report Summary

- 1.1 To update Members of the progress and continuing challenges in respect of ensuring that social care services within Children and Families Directorate are fit for purpose and the actions proposed to ensure continuous improvement around safeguarding practice within the service;
- 1.2 To update Members with regards to the progress made around the Unannounced Inspection Action Plan (appendix 1);
- 1.3 To update Members of the progress to date around the redesign of social care including the newly formed Children's Assessment Team; and
- 1.4 To consider the option proposal as set out in paragraph 10.36 regarding a group of members having the opportunity to directly observe a number of areas within Children's Social Care.

2.0 Decision Requested

- 2.1 The Committee note the contents of this report the improvements that have been put in place within Children's Services as part of the ongoing overall improvement plan with the aim to ensure Cheshire East children and young people remain safe and have opportunities to achieve.
- 2.2 The Committee note the improvements within the Unannounced Inspection Action plan.

- 2.3 The Committee note the changes and confirm they are satisfied that such changes have been appropriate and necessary for ensuring the safeguarding agenda remains a central focus within the Authority.
- 2.4 The Committee note the changes within Children's Social Care following the redesign of the service, which now includes the newly formed Children's Assessment Team which replaces the former Access team.
- 2.5 The Committee considers how it wishes to response to the proposal for Members to participate in observations of the Service in action to secure an improved understanding of the work of social workers.

3.0 Reasons for Recommendations

- 3.1 To enable council members to effectively discharge their duties as part of their role and responsibility around the services whose primary responsibility is to ensure the children and young people of Cheshire East are safeguarded.

4.0 Wards Affected

All

5.0 Local Ward Members

All

6.0 Policy Implications including - Carbon reduction - Health

Not applicable

7.0 Financial Implications (Authorised by the Borough Treasurer)

All costs are contained within the budget for the Children and Families Directorate.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 Care needs to be taken in respect of the suggestion that Councillors should be invited to shadow the work undertaken by frontline staff in Children Services. Members will be alert to the fact that the information used in the work of officers in Children Services is highly confidential being very personal information in respect of third parties.

- 8.2 A councillor's right to information is not unrestricted. The right derives from two sources. Firstly the Local Government Act 1972 and secondly the common law principle of 'need to know'.
- 8.3 In *R v Birmingham City Council, ex parte O* [1983], the House of Lords reviewed the case law in this area and concluded that there was no right to a 'roving commission', that simply being a councillor did not entitle a person to trawl through all filing cabinets at the council and that 'mere curiosity' was not in itself a good enough reason to grant access. To have access to information, particularly of a personal nature, a need to know needs to be established. Later case law has confirmed that this test applies whether the confidential information is to be received through documents or by attendance at meetings.
- 8.4 Whether a 'need to know' is established is a matter for the council to decide on a case by case basis and there would need to be some clear link between the councillors remit and the information that they are to be privy to. I would therefore suggest that when specific members are identified to be involved in the work shadowing that has been suggested discussion between Children Services, the legal department and democratic services take place to ensure that the council can justify its decision (in respect of each councillor) to allow access to the confidential information.

9.0 Risk Management

Failure to ensure appropriate systems, processes and support arrangements are in place both at a single agency level within the Council and with partner agencies working together to safeguard children will: result in failure to identify and assess risk to children; reduce the ability of the service to intervene to prevent or reduce risk; and result in potential risk to the Council.

10.0 Background and Options

- 10.1 At the commencement of Cheshire East Council in April 2009 the interim Senior Leadership Team for Children and Families externally commissioned a number of reviews within Children's Social Care to satisfy itself that the service inherited from the former Local Authority had effective arrangements in place to ensure that children and young people were safeguarded.
- 10.2 The outcome of this work, identified through the Eva Learner report and the report on the review of child protection arrangements for under 5's (Hewlett and Beccles), found significant concerns around the ability of the inherited statutory social care service to appropriately identify safeguarding risks to

children, and to intervene appropriately when risks were identified.

- 10.3 Throughout 2009 further reviews continued to be commissioned and undertaken to help drive an improvement agenda and support service redesign.

The findings of the reviews reinforced and further identified a number of key issues and concerns that was without doubt having an impact on the performance of the then Assessment and Care Management Service (ACM).

- 10.4 This consequently resulted in a number of recommendations to improve performance within ACM and Tier 4 Family Support Services within the Children and Families Directorate.

The Key Issues identified were:

1. Caseloads of social workers
2. Management capacity at team level
3. Social Work Redesign-District Models
4. Tier 4 Family Support Service

- 10.5 Of significance it was found that the current staffing establishments were not viable to deliver best practice as required by the Integrated Children's System (ICS) to enable Cheshire East's looked after children to be prioritised and receive excellent care planning, or to achieve and sustain good performance around Section 17 Child in Need (CIN) and Section 47 Child Protection enquiries/assessments timescales.

Social Workers across all teams were managing excessively high caseloads; specifically the consultant assigned to look at the state of the "front door" namely the contact and referrals coming into social care along with other systems within ACM additionally identified and highlighted the high number of social work cases being held within teams.

- 10.6 There was an acknowledgement that a key contributory factor identified was the limited ability for teams to prioritise Looked after Children (LAC) due to the bombardment of Child Protection referrals and children subject to Child Protection planning. Many of the managers felt strongly that they would like to deliver or see a better service being delivered to LAC and believe a discreet service focussed and prioritising the needs of LAC would provide a positive way forward.
- 10.7 It was further noted that several social workers were responsible for in excess of 30 cases, whilst some were case holders of 40, with the vast majority holding cases in excess of 20. It was the consultant's assessment that such individual level of case

responsibility was not conducive to delivering best practice, effective safeguarding and positive outcomes for the child and their family.

- 10.8 In a report to the Senior Leadership Team the consultant reminded senior managers that:

Directors of social services must ensure that only cases in which a social worker is actively engaged in work with a child and the child's family are deemed to be "allocated" (Recommendation 55 Inquiry into the death of Victoria Climbié 2003).

- 10.9 It is acknowledged that notwithstanding there is no definitive guidance nationally about the number of cases a children's social worker should manage, there is clear evidence within recent death enquiries and research findings that high caseloads are often a significant contributory factor.

The Senior Leadership of the Service considered, from advice provided, that in order to achieve a good performance and deliver a safe and effective service to children and their families, the maximum caseload for an experienced social worker should be in the region of 15-20 cases. This raised the ultimate issue that if such a benchmark was to have been applied at that time, there would have been a high number of unallocated cases, which would have required a further 21 qualified social workers needed to pick up the work.

- 10.10 Equally management capacity was stretched and untenable not least because of the staff numbers they were responsible for in terms of supervision, management overview of assessments and decision making. Often Manager's were 'acting down' to cover staff sickness and/or practically supporting their staff that often had competing priorities of equal importance.

- 10.11 The reviews further identified the urgent need to refocus services with consideration of developing a locality model, whilst at the same time redesigning the delivery of the Tier 4 Family Support service.

The above reviews and indeed ongoing reviews around an audit of supervision files (September 2009); Review of the Access team (2010) has been the rationale and driver around the Social Care redesign.

- 10.12 However, it is important to stress that safeguarding is not solely about how Social Care Services are ensuring they meet their statutory duties. Other key areas that ensure an effective safeguarding service is being delivered include:

1. The duties of the Local Safeguarding Board (LSCB) including the oversight and management of Serious Case reviews (SCR) and the learning that can be taken from SCR's both nationally and within our own Authority
2. The role of the Local Area Designated Officer (LADO)
3. The role of the Children's Trust
4. The role of elected members

Current Progress/update:

Social Care Improvement Plan:

10.13 An overriding principal for continuous improvements within the Service is the Vision we have for the children and young people of Cheshire East, namely:

- A Place where all children and young people are supported well to maximise their life chances
- Responsive, locally based services, which makes sense to children, young people and their families, that addresses their needs early.
- A place where no child is left behind because organisations do not work together.

Achieved by:

- ✓ Working in partnership with children, young people and their families, our local communities, other agencies and organisations
- ✓ Providing a seamless service which focuses on high quality, timely assessments with targeted services to meet the assessed need.

Over the past 12 months we have continued to drive improvement across all our service areas, particularly within the services we provide to our most vulnerable children and young people.

10.14 Evidence that service delivery is improving can be seen in the Outcomes from the external inspections undertaken post LGR by OFSTED including:

- ✓ Adoption Inspection - Overall Good with Outstanding features
- ✓ Our two new residential provisions – Overall Good with Outstanding features

- ✓ Our Short Breaks provision at Priors Hill (Langley unit) – Overall good with outstanding features
- ✓ Our fostering service which had their inspection just five months following LGR – Adequate
- ✓ Our unannounced inspection where we received no priority actions, albeit a number of areas for development. (Appendix 1 – Updated Action Plan)

10.15 A key test of such inspections is the Safeguarding Measure. Where inspectors find this measure inadequate, the service area being inspected would be deemed overall inadequate, regardless of whether the service is good or even outstanding against the other measures OFSTED inspect on.

10.16 It is therefore important to acknowledge and celebrate that despite the challenges LGR brought, together with the redesign of service areas, as a service we have ensured that children and young people remain central to our work and that above all there safety and well being is paramount.

However, the Service continues to face challenges and the need to keep focused on our improvement drive is essential if we are to deliver excellent outcomes for our most vulnerable children and young people.

10.17 Below are key areas for Service Improvement over the coming months and beyond:

- Ensuring timeliness in completing assessments and that these are high in quality, focusing on the all important question “**am I making a difference**”. Achieved through clear risk assessments, using evidence on which to base professional judgement and decision making.
- Ensuring Child Protection enquiries are managed consistently and competently, evidenced in high quality strategy discussions/minutes which identifies and manages risk, and thereby enables clear decision making.
- Moving to an early intervention and targeted support model through our new locality model. Using the CAF as a model for early intervention. Targeted family support services including parenting programmes such as Webster Stratton; Parenting Plus that enables families to have the opportunity to make the changes needed in a learning supportive way.

- Reducing the number of our cared for population, ensuring we have clear care plans that focuses on positive outcomes and permanency.
- Placement stability, care planning, wrap around care for those children who need to be in our care.
- Educational achievement, success at school for children in care. Achieved through our Head of Virtual School who is very much part of the integrated approach of our new cared for service.
- Extending and improving our support to children and young people with disabilities through the Aiming High Agenda.
- Managing risk through Child protection plans; use of family group conferencing and clear family support packages across the continuum of need framework.

Above all where ever possible the need to ensure we continue to work more jointly and integrate with other services/agencies/partners is essential.

In all that we do, there remains a need to remind ourselves **“Can we evidence the outcome for the child/young person/family with whom we have been involved has made a positive difference to their lives”** and have in making that difference in the service we delivered been effective and value for money.

Steps Taken to Improve Practice:-

Redesign of Children’s Social Care:

- 10.14 A significant change within Children’s Social Care has been the establishment of The Children’s Assessment Team (CAT) which was stood up on the 15 December 2010.

The new service now manages all incoming work to Children’s Services, through to and including Initial and Core Assessments, Section 47 investigations/strategy discussions, Child Protection Initial Conferences, First review for cared for child before transfer to either the longer term services or redirected back through locality.

- 10.15 The team’s involvement with families will be short term with cases being held within an 8 – 12 week period maximum. The processes and timescales with the CAT are taken from the

Working Together 2010 guidance and ensure that the service remains Laming Compliant.

- 10.16 Children services have benefited from growth that has enabled the service to restructure into small social work units that is led by a Practice Consultant. Such a structure ensures there are more manageable workloads, more effective and timely supervision/case consultation is available to frontline staff.
- 10.17 A further key change in service delivery has been to separate Cared for Children and Child in Need/Child Protection into two service areas. You will recall in the background information, there was significant findings within reviews and through staff consultation that our cared for children were not receiving an adequate service.
- 10.18 The new Cared for Children Service Lead by Principal Manager Julie Lewis, brings together the Care planning units, 16 plus units; Cared for support unit, disability unit; fostering; adoption and residential to ensure care planning is joined up and child centred.
- 10.19 Likewise the Child in Need and Child Protection units lead by Principal Manager Shirley Jordan who is also responsible for the newly formed Children's Assessment team, will ensure social care staff will have the dedicated time of working with families in order to effect the change needed.
- 10.20 Additionally, a major review of the Emergency Duty Team was undertaken. Until March 2011 this remains a shared service with Cheshire West and Chester and hosted by them. However, mid way through 2009 significant shortcomings in this service became apparent across both Local Authorities. The review concluded that both Local Authorities now needed the freedom to establish an independent Out of Hours service in line with local needs, and to ensure that delivery is aligned to that of day time services to ensure consistency of intervention and assessment processes.

This outcome has now been agreed by the Joint Officer Board and the shared service will terminate on 31 March 2011.

Investment in posts:

- 10.21 The considerable growth of front line staff has enabled the Directorate to begin to deliver the redesign and ultimately the improvement of the service.

Such growth Includes:

- ✓ 30 Practice Consultants who will be responsible for operational decision making of the new social work units.
- ✓ Increase in Unit Coordinators (business support) which has ensured each social work unit has dedicated admin support.
- ✓ Increase in Social Worker's to enable a minimum of social workers per unit

Training Programme:

- 10.22 Significant investment in training front line staff and manager's has been implemented. Please refer to appendix 1 unannounced inspection plan for attached outline of training needs and ongoing development programme.
- 10.23 All managers including the new practice consultant role have now undertaken the Tony Morrison Supervision programme which is a three day programme. Supporting this programme all managers have been provided with tools to support their delivery of ensuring effective supervision is occurring.
- 10.24 Such training has enabled an embedding of robust supervision across all service areas. This includes all staff have access to regular supervision (minimum monthly), which embraces a holistic approach to supervision including:
1. Well being of staff member.
 2. Opportunity to reflect on what has gone well, and what has not gone so well.
 3. Case management discussion including ensuring work is being undertaken in a timely manner, opportunity to discuss risk/decision making.
 4. Training/development needs.
 5. Performance management.
- 10.25 The revised supervision toolkit provides a robust and structured format to enable managers to undertake supervision. It should be noted that requests have been made from other Local Authorities for a copy of our Supervision policy and toolkit.
- 10.26 Alongside this programme, a number of managers are now undertaking the authorities First Line Management Training (ILM) to help consolidate and build on their knowledge gained through experience and the supervision training to-date.
- 10.27 Further training is planned for the forthcoming months, including areas such as appraisals and personal development to support

staff in reflection of their work and their ongoing development needs.

10.28 As a service we have a number of “must do” services priorities, which significantly included the need to move to our new service structure as quickly as we are able (achieved in December 2010) which will then enable us to:

- a) Ensure that children at risk/or subject to significant harm are well protected.
- b) All children in care have their needs met.
- c) That our vision is achieved through greater co-operation and working together with our partners and other organisations through an early intervention model.

The role of the LSCB:

10.29 Cheshire East has an established LSCB with an Independent Chair, supported by a Business Administrator who is a qualified social worker.

10.30 One of the primary role's of the board is to ensure all agencies/non statutory partners such as the faith/voluntary communities are not only aware of the safeguarding agenda, but more importantly that they can evidence that they are working effectively to support safeguarding of children and young people within the authority.

10.31 The chair as independent brings a challenge arm to all partners/agencies including children's social care in how we are discharging our statutory duties. In addition the board produces a business plan which sets out the priorities over the next three years. Such a plan links into that of the wider children's and young peoples plan developed through the Children's Trust Board of which the safeguarding chair is also a member.

10.32 The current challenges within LSCB are:

- The potential effects the changes from PCT to GP consortiums may have on membership/commitment to the LSCB.
- The potential effects of the Comprehensive Spending Review that has seen cuts across all agencies in budgets. Each agency financially contributes to the LSCB to enable the work of the board to be carried out efficiently.

- How partners/agencies are engaging in the early intervention agenda including embedding CAF as a tool in order to identify needs and services to address needs before it becomes a crisis and statutory intervention is needed.
- How the board can ensure learning from Serious Case Reviews is shared and understood by all agencies/partners, that such learning may result in a change in service delivery and ultimately how they can evidence outcomes that this change has been effective for children and young people in keeping the safe.

Role of Local Authority Designated Officer (LADO)

- 10.33 The role of the LADO is to advise/support and ensure where there are concerns or calls relating to potential abuse by a professional who works with children and/or young people, that these concerns are managed appropriately including ensuring that they are investigated where needed. Such advice and support is provided to all agencies/partners/voluntary section include faith communities
- 10.34 Currently the LADO procedures within the Authority are being reviewed and revised. This work is being undertaken by the new Principal Manager of Safeguarding Kate Rose. It is anticipated that this review/revision will be completed within the next few months.

Update of the role of the Children's Trust:

- 10.35 The Children's Trust in Cheshire East is responsible for mobilising support across the partner agencies to secure improvements in identifying the needs of vulnerable children and intervene earlier to prevent the need to recourse to costly and expensive statutory, specialist or acute services at a later stage. While the role of the LSCB is to focus upon safeguarding arrangements the role of the Trust is wider, and should if effective, have a preventative focus ie. Agencies working better together earlier minimises risks to children by the improved arrangements for identifying needs and intervening sooner.

Role of elected members in the Safeguarding Agenda - Proposal

- 10.36 Members rightly need to have regular updates around progress and any challenges around Safeguarding to enable them to ask relevant questions/challenge if they are to effectively discharge their duties.
- 10.37 Members have expressed a desire and interest in observing the Social Care Services to enable them to gain even more understanding and insight into the child's journey through the statutory process.
- 10.38 Such request is warmly welcomed, as it will provide Members with an opportunity to meet frontline staff, families and children and young people by practically observing processes such as:
- A strategy discussion in respect of s47
 - A legal gate keeping meeting where there is a potential for children to be placed in care.
 - Shadow/observe staff in the new Children's Assessment Team
 - Observe an Initial Child Protection Case Conference
 - Observe a Core Group Meeting
 - Shadow/observe staff in the Child in Need/Child Protection Team
 - Shadow/observe staff in the Safeguarding Unit.
 - Observe the LSCB in action, including an opportunity to meet the Chair
 - Opportunity to follow a child's journey through the various stages of the statutory process.
- 10.39 At any given time members during this observation would have an opportunity to ask further questions/ challenge processes through an agreed protocol, which will ultimately assist members in gaining an overall sense of the experience of how statutory intervention is managed.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Catherine Knowles

Designation: Head of Safeguarding and Specialist Services

Tel No: 01606 271719

e-mail: cath.knowles@cheshireeast.gov.uk