

CHILDREN'S SERVICES SCRUTINY PANEL

18 September, 2024

Commenced: 6.00 pm

Terminated: 7.20 pm

Present: Councillor David Tilbrook (Vice-Chair) in the Chair; Councillors Phil Chadwick, Dave Howarth, Charlotte Martin, Andrew McLaren, Jaqueline Owen, Sangita Patel, Peter Robinson and Tafheen Sharif

Apologies for Absence: None

1 DECLARATIONS OF INTEREST

Members were invited to declare any interests they had in any of the items on the agenda for the meeting.

No declarations of interest were made.

2 MINUTES

The Minutes (copies of which had been circulated) of the meeting held on 24 July 2024 were approved as a correct record and signed by the Chair.

3 UPDATE FROM THE CHIEF EXECUTIVE

Sandra Stewart (Chief Executive (Director of Children's Services)) attended the meeting to respond to questions from the Scrutiny Panel relating to the current situation, short term and longer term plan in Children's Services.

Councillor Teresa Smith (Executive Member (Children's Services)) attended the meeting to respond to questions from the Scrutiny Panel.

The Chief Executive (Director of Children's Services) provided the following introduction:-

- That the Commissioner's report was a diagnostic of the last five years as a council in terms of whether the authority should continue to hold the statutory function of Children's Services.
- That a key point of the report related to needing permanency around staffing. It was reported that the Chief Executive had agreed with the Commissioner in July to begin the process for the permanent appointment of a Director of Children's Services. As part of this process, the Chief Executive of Penna had supported the council and provided advice including advising around timescales and successful recruitment periods. As a result, the national advert for the appointment of both the Director of Children's Services and Assistant Director of Education had been listed in the week prior to the meeting.
- That the recruitment of a permanent Director of Children's Services should be completed by early November, however it was likely, given the general length of notice periods, that the candidate appointed would not start in the role until January.
- That the previous Interim Director of Children's Services felt it was an appropriate time to leave the role, that avenues had been explored to appoint a further interim however nobody had been suitable and extra support had been brought in to support the Assistant Director of Children's. It was reported that all actions had been agreed with Ofsted, the Department for Education and the Commissioner.

- That it was important that the authority recruited permanent Heads of Service as they were the backbone of the service and, following consultation with staff, a decision had been made to increase the number of Heads of Service positions and redistribute some functions. It was stated that this restructuring aimed to enhance capacity to lead to improvements whilst managing the increasing day-to-day workload.
- That the consultation process around the Heads of Service positions had been completed and it was the intention to publicly advertise the positions in the next couple of weeks. The Chief Executive was hopeful that some of the interim staff would apply for these permanent roles, however acknowledged that some preferred the flexibility of interim positions and may not be interested in transitioning to permanent roles, despite efforts to retain them.
- That the Commissioner had visited the council today as the first day of his new longer term role and would be working with the council for three years. It was reported that the Commissioner had said that whilst the improvements were deliverable, it would take approximately three years.

The following comments were made/issues raised:-

- In response to a query around the target recruitment date for the permanent Heads of Service positions, it was commented that the positions would be advertised next week and would allow two weeks for applicants to apply. It was noted that the council would process the applications as soon as possible however the timescale depended on the number of applicants for the seven positions, consequently consideration was being given to how best to schedule the interviews.
- In response to a query around the current number of interim Heads of Service, it was confirmed as 63%.
- In response to a query around how the Commissioner was funded, it was commented that the Commissioner was funded by the Department for Education and that the council had requested funding for the Social Work Academy, however whilst this had not been agreed, the authority had decided to proceed with the initiative as it was felt this was the right course of action.
- Members noted that as an authority we had not been successful in retaining our Directors and queried whether the interview process would include an assessment of the applicants commitment to Tameside.
- In response, it was noted that the average tenure of a Director of Children's Services was approximately three years and there were generally two types of Directors, those who aim to deliver improvements and turnaround a struggling authority and those who manage an already well functioning one. It was commented that it was not uncommon for Directors to remain in post for less than three years and this was anticipated, and the previous Director of Children's Services was appointed on an interim basis so the authority had not expected to retain her permanently.
- In response to a query around how the current position would impact on the likely upcoming Ofsted inspection on the local area arrangements for children and young people with special educational needs and/or disabilities (SEND), it was commented that the inspection would not inspect the Director of Children's Service or work of the local authority in silo, it would inspect the partnership work across health, education and the police which was still continuing.
- Members questioned how the authority would manage without a Director of Children's Services for six months and asked when the Heads of Service would be appointed.
- In response, it was confirmed that there were currently Heads of Service in place and work was underway to replace any temporary staff with permanent staff, however the authority hoped they would retain some of the temporary staff during the process. It was stated that a number of individuals had been brought in to support the Assistant Director in the interim, with additional support from strategic partners. Members were

advised that for the appointment of a temporary Director of Children's Services, the authority were seeking a consistent and constant approach rather than anyone advocating significant changes which was a requirement evidenced from the report. It was reported that by January, the authority aimed to have a more permanent leadership team in place, and if not, they expected that permanent staff would be joining shortly after, possibly serving their notice periods.

- In response to a query around the individual appointed to fulfil the Commissioner role for the next three years and how much of their time would be dedicated to Tameside, it was stated that following an open procurement exercise, Andy Couldrick was appointed likely in order to ensure a level of consistency. It was stated that the time dedicated to the authority at this time was unknown, however the role was not a full time position and that the Commissioner also Chaired the Brimingham Children's Trust.
- In response to a question around why the authority had previously recruited to senior positions on an interim basis, it was commented that one of the reasons was the immediate need for someone to fill the role when a vacancy arises. It was noted that in situations where performance was inadequate, interim staff were brought in to implement changes before a permanent replacement was appointed.
- It was further queried why the service currently held such a high number of agency staff.
- In response, it was noted that whilst half of the staff within Children's Services were temporary, the authority had intentionally overstaffed to meet high demand which was not the usual staffing arrangement and it was not the intention that the additional staff members would be made permanent. Members were advised that the authority had been working on determining the right structure, a process that had involved extensive discussions with the Department for Education advisor and the Commissioner, which had taken time. It was noted that this approach around interim staffing had served its purpose and it was now time to move forward to the next stage.
- Related to the recruitment for a Director of Children's Services, it was asked whether there was a danger that a new appointee would want to implement further changes.
- In response, it was commented that there was always a risk of new appointees wanting to make changes, however the Commissioner and Department for Education advisor involved would ensure that any changes aligned with the broader goals and strategic direction of the council. Members were advised that the Commissioner would participate in the recruitment process and that candidates were able to speak with him beforehand, however noted that the main issue of turnover was occurring at lower levels within the line management structure. It was noted that despite having a strong training offer and an accredited leadership programme, the service was struggling with retention which was significantly impacting the service and that building relationships and trust was crucial in addressing this challenge.
- Members noted that the Ofsted report had highlighted that, despite the challenges, some progress had been made in several areas with the senior officers implementing a number of positive changes. It was further commented that whilst the journey ahead was long, it was important to acknowledge achievements to maintain a balanced perspective of supportive challenge and avoid a perception of constant criticism.

RESOLVED – That the update on the current situation, short term and longer term plan in Children's Services be noted.

4 COMMISSIONER'S REPORT ON CHILDREN'S SERVICES

This item had been placed on the agenda at the request of the Chair to enable the Panel to duly consider the Commissioner's report at the earliest available opportunity following its publication on 17 September 2024.

Sandra Stewart (Chief Executive (Director of Children's Services)), Alison Montgomery (Assistant Director of Children's) and Deborah Myers (Assistant Director of Education) attended the meeting to support the discussion and respond to any questions from the Scrutiny Panel.

Councillor Teresa Smith (Executive Member (Children's Services)) attended the meeting to respond to questions from the Scrutiny Panel.

The Chief Executive (Director of Children's Services) introduced the report advising that whilst there were differing views on some of the judgments made in the Commissioner's report, there was unanimous agreement on the recommendations. It was reported that many of the recommendations contained were initially provided by the service area and that the report was not created in a vacuum as it incorporated both feedback from staff and insights from the recent peer review.

The following comments were made/issues raised:-

- In relation to the comment around the differing views on some of the judgements made in the Commissioner's report, it was queried what was meant by this.
- In response, it was stated that the Commissioner did not always set out his evidence and that the Chief Executive had received feedback from staff that they did not feel there was a toxic environment. It was reported that, accordingly to the last workforce survey, 74% of employees were satisfied with their job and that following the comments in the report, the authority would be re-running the survey which was due to launch in the next week. It was commented that the authority needed to ensure that they were supporting staff and ensuring good practice and they were working through the comments made to fully understand individuals thoughts.
- In response to a query around whether the survey would be targeted at the Children's Services workforce or all staff, it was confirmed that the survey would be shared with all the council's workforce.
- In response to a query around who the Commissioner spoke to when writing his report, it was commented that this was unknown, however the council were aware that he had spoken to previous employees.
- It was commented that a social worker had confidentially advised a Member that they agreed with the comments within the report around a toxic culture and that they were forced to respond to previous workforce surveys in a positive way.
- In response, the Chief Executive refuted the comment, stating that no member of staff was forced to respond and that the survey was completely anonymous with individuals' self selecting the service area that they worked for.
- Members noted that a triage system was one of the technical recommendations detailed within the report and that it appeared that the service accepted too many people into the care system too soon.
- In response, it was stated that the admission of children into care had significantly reduced over the last year. It was reported that for an admission into care, there was a legal gateway panel that comprised of social care colleagues which discussed whether the threshold had been met, however on occasion some children were admitted by the police. It was stated that the service was confident that the children who came into care were for the right reasons and that good and robust processes were in place, however accepted that this had not historically been the case.
- In relation to the Multi-Agency Safeguarding Hub, Members noted that over 70% of assessments completed led to no further action from social care and queried why this was the case and what impact this had on the service and families in Tameside.
- In response, it was commented that the number of referrals had increased due to a variety of reasons. The service recognised that some were not appropriate referrals to social care and that the largest referrers were the police and schools. It was further

recognised that there were challenges around effective early help and work was underway to ensure that support was available at a much lower level. It was commented that the screening of referrals provided assurance that no work was missed and depending on the outcome, cases were either signposted, redirected to universal services or taken into social care.

- Members noted that the no further action status therefore included those signposted and redirected to universal services.
- It was commented that the Multi-Agency Safeguarding Hub had taken a number of different forms and queried how the service was delivered.
- In response, it was stated that the Multi-Agency Safeguarding Hub was the council's internal workspace including the police, housing and other partners, and early help was separate from the Multi-Agency Safeguarding Hub which was the route into social care for assessment.
- In response to a query around the aim of the Multi-Agency Safeguarding Hub service in the next three months, it was commented that the aim was to reduce the amount of inappropriate referrals, increase timeliness to ensure that referrals were screened quickly and appropriately with a clear assessment of risk and harm, to roll out thresholds documents so all partners had a clear understanding and to ensure that children and families were receiving the help they needed at the right level.
- Members commented that they were under the impression that the early help provision was performing well, however noted that the Commissioner's report referenced reforming the early help offer as an improvement area for the council.
- In response, it was commented that there were a number of teams and resources who were similar in the way they worked and work was required to ensure there was clarity in their role and to use them as a preventative measure. It was noted that efforts were being made to streamline operations and provide a consistent offer across the whole service.
- In relation to the Early Help and Safeguarding Hub model and return to the more recognisable Multi-Agency Safeguarding Hub, it was noted that the report referenced a belief from the police that the Early Help and Safeguarding Hub model had been working well and queried whether progress had been made to ensure that the police were supportive of and integrated within the Multi-Agency Safeguarding Hub.
- In response, it was commented that when the Multi-Agency Safeguarding Hub was renamed as the Early Help and Safeguarding Hub a decision was made to take all the work which quickly overwhelmed the system and work was ongoing to encourage all partners within the hub to fulfil their role. It was noted that there was a new Chief Superintendent who was supportive of the council's improvement journey and he had been clear about working alongside the service.
- It was noted that Councillor Teresa Smith had recently been appointed as the Executive Member for Children's Services and Members were advised that Councillor Smith was not in post in the time during which the Commissioner was considering his evidence.
- In response to a question around how Councillor Teresa Smith would be undertaking her role as Executive Member differently, it was commented that the Executive Member had met with the Commissioner earlier today and they were both committed to building a strong partnership. The Executive Member further stated that she planned to listen to her advisors and staff to understand the bigger picture and form her own opinions. It was commented that to move forward, the Executive Member would be taking advice from the Commissioner and other specialists and whilst there had been some good progress, the council needed to drive this forward, honestly facing its challenges and working together for the children of the borough. It was noted that by keeping children at the core, listening to their voices and learning from their experiences would ensure the service truly made a difference.
- Members commented on the importance of data and using data to inform decision making and improve service delivery.

- In response, it was commented that the Improvement Board received this data and that the Scrutiny Panel should also be considering the data including exception reporting within the context of what good looks like and what are the right questions. It was noted that discussions had taken place around supporting scrutiny's needs and that the Improvement Board's role should be undertaken by Scrutiny.
- In response to a question around the governance framework around Children's Services, it was commented that the only Board outside the council's normal governance framework was the Children's Improvement Board which was introduced to support the council and Chaired by an independent advisor from the Department for Education. It was noted that the Board was used to hold services to account and that the Department for Education advisor reported to the Department for Education and Government.
- In response to a question around how scrutiny could support the improvement work, it was commented that there was a perception that Tameside was critical rather than supportive and the aspiration was around recognising good work whilst asking challenging questions in a supportive manner. It was noted that to fulfil their role, Scrutiny Panel Members needed to be fully briefed to hold officers and the Executive to account and that additional training was being arranged to support Members with effective scrutiny and to navigate the complexities of Children's Services.
- Members welcomed the commitment to strengthening the scrutiny training and briefing offer and requested that briefings be undertaken around data and incorporating the views of service users.
- It was commented that Members required information to enable the Panel to prioritise the areas of focus for scrutiny's consideration.
- In response, it was noted that prioritising the work programme was a challenge particularly where there was an inadequate Ofsted inspection as all areas required some focus.
- Members welcomed the move towards permanent staffing and the support of the Commissioner and were hopeful these changes would support progress in terms of the council's improvement journey.

RESOLVED – (1) That the report be noted.

(2) That an update on the response to the Commissioner's recommendations be programmed into the Scrutiny Work Programme for the 2024/25 municipal year.

5 CHILDREN'S IMPROVEMENT HIGHLIGHT REPORT

The Panel welcomed Alison Montgomery (Assistant Director of Children's) to receive a report (copies of which had been circulated) highlighting the progress, barriers and risks against the priorities and work areas within the Children's Services Improvement Plan, and the key actions for the next reporting period.

Councillor Teresa Smith (Executive Member (Children's Services)) attended the meeting to respond to questions from the Scrutiny Panel.

The Assistant Director of Children's introduced the report advising that the priority areas outlined in the report were consistent with the findings of both the Commissioner's report and the Ofsted inspection report.

In relation to the RAG status of the improvement activity, Members queried whether any activity had been classed as red or there were any areas that Scrutiny should be made aware of. In response, it was commented that whilst no activity was listed as red, there were a number of ambers indicating ongoing work that had been delayed for a variety of reasons. Members also queried whether the Multi-Agency Safeguarding Hub contact and enquiry form had helped to deliver any improvements. In response, it was stated that the

form now required more detail which should improve information gathering moving forwards.

RESOLVED – That the highlights of progress against the Children’s Improvement Plan, barriers, risks and key actions for the next reporting period be noted.

6 TAMESIDE CHILDREN'S SERVICES PARTICIPATION SERVICE ANNUAL REPORT 2023-2024

The Panel welcomed Alison Montgomery (Assistant Director of Children’s) to receive a report (copies of which had been circulated) outlining the annual overview of participation and engagement activity spanning from April 2023 to March 2024 across Children’s Services.

Councillor Teresa Smith (Executive Member (Children's Services)) attended the meeting to respond to questions from the Scrutiny Panel.

The Assistant Director of Children’s introduced the report advising that the report contained a summary of the activities focused on engaging young people. It was reported that the engagement had informed efforts to ensure the voice of the child was heard and integrated into service improvements and outlined future actions and necessary steps to enhance the incorporation of children’s voices in the services practices.

In relation to the you said, we did activity, Members queried whether all the feedback provided by children and young people had been actioned and responded to. In response, it was confirmed that the feedback had been incorporated and that the independence guide had been well received. Members welcomed the engagement activity, requested that a copy of the independence guide be circulated to Members of the Panel and requested that an invite to a future meeting of the Panel be extended to the staff within the Participation Service to discuss their role and current activity.

RESOLVED – (1) That the contents of the annual report and the priorities for 2024-2025 be noted.

(2) That an item around the role and current activity of the Participation Service be programmed into the Scrutiny Work Programme for the 2024/25 municipal year.

7 THE OMBUDSMAN'S FINAL DECISION

The Panel welcomed Alison Montgomery (Assistant Director of Children’s) to receive a report (copies of which had been circulated) detailing a Local Government & Social Care Ombudsman complaint that was submitted by a customer that had complained regarding the Council not providing overnight respite care for children since August 2022.

Councillor Teresa Smith (Executive Member (Children's Services)) attended the meeting to respond to questions from the Scrutiny Panel.

The Assistant Director of Children’s introduced the report advising that the report detailed a complaint regarding the need for respite care and the inability of the local authority to provide this provision. It was reported that report outlined the issues faced by the mother and concludes that the local authority was at fault for not providing short breaks. It was further reported that although the local authority was not able to provide short breaks provision, the authority was currently offering in-home respite care which the family found acceptable in the short term and that plans were being made to arrange alternative provisions and had agreed this package.

Members enquired around how the issue had occurred. In response, it was stated that there was a challenge around the sufficiency of short break respite care provision, particularly for young children and it was difficult to meet these needs locally.

RESOLVED – (1) That the content of the Local Government & Social Care Ombudsman complaint be noted.

(2) That the agreed action be endorsed.

8 CHAIR'S UPDATE

The Chair advised the Panel that two scrutiny related items, the Scrutiny Transformation Programme and Scrutiny Training Options Paper, had been considered and discussed at Overview Panel on Tuesday, 17 September and requested that a copy of the reports be shared with Members of the Panel following the meeting. The Chair reported that the Chair of Overview Panel had requested that Scrutiny Panel Members were consulted to seek a consensus on which of the proposals they would like to progress with and requested that Members consider the information and respond by Friday, 27 September.

9 DATE OF NEXT MEETING

It was noted that the next meeting of the Children's Services Scrutiny Panel will take place on Wednesday, 6 November 2024.

10 URGENT ITEMS

The Chair was of the opinion that item 9 (i) – Commissioner's Report on Children's Services (Minute 4 refers), although not included on the agenda, should be considered as a matter of urgency in accordance with Section 100B(4)(b) of the Local Government Act 1972 to enable the Panel to duly consider the report and recommendations therein from the earliest opportunity after which it was made available following its publication on 17 September 2024.

CHAIR