

Meeting	Safeguarding Overview and Scrutiny
Date	27 November 2013
<b>Subject</b>	<b>Summary of the new OFSTED inspection framework</b>
Report of	Cabinet Member for Education Children and Families.
Summary of Report	This report summarises the new OFSTED inspection framework for Children’s Social Care departments and Local Children’s Safeguarding Boards

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Status (public or exempt)	Public
Wards Affected	All
Key Decision	Not applicable
Reason for urgency / exemption from call-in	Not applicable
Function of	Safeguarding and Overview Committee
Enclosures	None
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## **1. RECOMMENDATIONS**

- 1.1 That the Safeguarding Overview & Scrutiny Committee note the contents of this summary report and provide comments as appropriate.
- 1.2 That the Safeguarding Overview & Scrutiny Committee note Barnet's response to the new Ofsted inspection framework.

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 Barnet Children's Trust Board, 27 June 2013, Agenda Item 3: The Board received a presentation on the new OFSTED Inspection Framework.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 Safeguarding is a key priority for the Council and partners and is reflected in strategic partnership goals including the Corporate Plan 2013 - 14, Health and Well-being Strategy, Sustainable Community Strategy and Commissioning Strategy.
- 3.2 The Corporate Plan includes the strategic objective 'to create better life chances for children and young people across the borough' with an emphasis on early intervention and support and a further objective 'to promote family and community well-being' with a commitment to 'strengthen our approach to safeguarding'.
- 3.3 Safeguarding children and adults from avoidable harm or abuse underpins everything we do and is the responsibility of everyone who works for or with the London Borough of Barnet.
- 3.4 It is a key priority for Children's Social Care to be ready for the new inspection framework and to be in a strong position to receive a grading of 'good' or above. We have been proactive in having commissioned an in depth independent and external audit of our work (mock inspection). This was completed in October 2013 and has provided valuable learning about our strengths and areas for development. This audit and the new OFSTED inspection framework are informing a detailed inspection improvement plan.

## **4. RISK MANAGEMENT ISSUES**

- 4.1 The new Ofsted inspection framework was published in October 2013 for implementation from 19 November 2013. The framework is focused on direct social work practice and activity much more so than in previous frameworks. The judgments made by inspectors are on a four point scale of outstanding, good, requires improvement and inadequate. The use of the phase 'requires improvement' is a change from previous inspection frameworks.
- 4.2 Ofsted judgments are highly significant in terms of the reputations of Local Authorities and have a major impact in terms of ability to recruit and retain a high quality workforce. An unstable workforce contributes to poor service delivery and thus outcomes for children and families

- 4.3 The Secretary of State for Education has the power to intervene if he considers that a Local Authority is failing in its safeguarding duties toward children. This is considered to be a low risk in Barnet; the 2012 Ofsted and CQC inspection of safeguarding and looked after children judged safeguarding services and outcomes for looked after children as good overall in Barnet.

## **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 Equality and diversity issues are a mandatory consideration in decision-making in the council pursuant to the Equality Act 2010. This means the council and all other organisations acting on its behalf must have due regard to the equality duties when exercising a public function. The broad purpose of this duty is to integrate considerations of equality and good relations into day to day business requiring equality considerations to be reflected into the design of policies and the delivery of services and for these to be kept under review.
- 5.2 The new inspection framework requires Local Authorities to evidence good practice in this area. For all children and young people the expectation is that help, care and protection are sensitive and responsive to age, disability, ethnicity, faith or belief, gender, gender identity, language, race and sexual orientation. Children's Social Care are producing a new robust quality assurance framework which will ensure that all audit activity includes a focus on ensuring that the service performs consistently well in the area of equalities and diversity.

## **6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 6.1 Preparation for inspection and the actual inspection will be undertaken within existing resources.

## **7. LEGAL ISSUES**

- 7.1 Ofsted inspections are conducted under section 136 of the Education and Inspections Act 2006. Their focus is on the effectiveness of local authority services and arrangements to help and protect children, the experiences and progress of children looked after, including adoption, fostering, the use of residential care, and children who return home. The framework also focuses on the arrangements for permanence for children who are looked after and the experiences and progress of care leavers. The leadership, management and governance judgment addresses the effectiveness of leaders and managers and the impact they have on the lives of children and young people and the quality of professional practice locally.
- 7.2 Ofsted regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. It regulates and inspects childcare and children's social care, and inspects the Children and Family Court Advisory Support Service (Cafcass), schools, colleges, initial teacher training, work-based learning and skills training, adult and community

learning, and education and training in prisons and other secure establishments. It assesses council children's services, and inspects services for looked after children, safeguarding and child protection.

## **8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)**

8.1 The scope of the Overview and Scrutiny Committee is contained within Part 2, Article 6 of the Constitution.

8.2 The terms of Reference of the Scrutiny Committee are in the Overview and Scrutiny Procedure Rules (Part 4 of the Constitution). The Safeguarding Overview and Scrutiny Committee has within its terms of reference the following responsibilities:

- To scrutinise the Council and its partners in the discharge of statutory duties in relation to safeguarding.

## **9. BACKGROUND INFORMATION**

9.1 The new OFSTED inspection framework was introduced following a recommendation in the Munro Report, Protecting Children, 2011. Munro recommended an inspection approach that took account of the 'child's journey'. This new inspection framework enabled Ofsted to inspect the whole system that helps, protects and looks after children.

9.2 The Ofsted inspection framework was published in October 2013 for implementation in November 2013. The new framework brings together into one inspection: child protection; services for looked after children and care leavers; and local authority fostering and adoption services as well as the inspection of Local Children's Safeguarding Boards.

9.3 The ambition is clear – **only 'good' is now good enough**. The protection of children and young people is a key judgment. Services that are less than 'good' will no longer be judged adequate, but to 'require improvement' until they meet the standard that children, young people and their families deserve and have a right to expect. A key focus of the inspection is the extent to which children's experiences are prioritised and the effectiveness of the help, protection and care that they receive.

9.4 Inspectors will make four key judgments in the single inspection:

9.5 The 'overall effectiveness of services and arrangements for children looked after, care leavers, and children who need help and protection.

9.6 The 'overall effectiveness judgment is a cumulative judgment derived from the following three judgments

- The experiences and progress of children who need help and protection
- The experiences and progress of children looked after and achieving permanent homes and families for them

- Leadership, management and governance.

If a local authority is judged 'inadequate' in any of these three critical areas, it is likely to be judged 'inadequate' overall.

- 9.7 For the first time Ofsted will also make discrete, graded judgments on the 'experiences and progress for care leavers' and adoption. Inspectors will evaluate the quality of plans for children's futures, the management and practice oversight of those plans to make them happen and the extent to which any delays are being swiftly reduced. They will also consider the quality of support and care for young people becoming independent and leaving the system, including the provision of safe and good housing, access to education, training and employment and the extent to which those individuals feel supported by their corporate parents.
- 9.8 The process and detail of the inspection
- 9.8.1 Local Authorities will be informed on a Tuesday by 9.30 the day before the inspection begins on the Wednesday. The inspection will take four weeks with a combination of on and off site time. There will be seven inspectors who will be thoroughly briefed on the authority.
- 9.9 A large amount of complex and wide ranging data will be required covering each stage of a child's journey (to be referred to as Annex A). The case files of 18 children will be selected by inspectors to be given an in depth audit by the local authority and the findings will be shared with the inspectors. The 18 case files will be comprised of: 6 children in need of help and protection, 10 looked after including at least two out of borough, and 2 care leavers.
- 9.10 A further 25-30 case files of children and young people will be tracked by inspectors and will reflect a mixture of age, ethnicity, disability and gender. Additional cases may be examined if there is a particular theme the inspectors would like to explore further in the local authority. The local authority is encouraged to show examples of best practice, for example that has been evidenced through audit activity.
- 9.10 Inspectors will also evaluate thresholds and effectiveness of services through targeted sampling of at least 50 case files making a total of at least 100 children to be looked at. These additional 50 will be used to pursue evidence and themes of both good and weak practice.
- 9.11 Inspectors will study files and data but will also interview staff and managers at all levels and will also observe practice and meetings. Some practice will be observed with managers to assess the skills of the managers in evaluating effectiveness. A wide range of meetings will be observed and are likely to include child protection and child in need meetings, legal planning meetings, MARAC: Multi Agency Risk Assessment Conference (deals with high risk domestic violence cases) and MAPPA: Multi Agency Public Protection Arrangements (meetings that plan for and manage offenders that pose a high risk of serious harm to the public or individuals), looked after children reviews and early intervention meetings.

- 9.12 Views of young people and their families and foster carers will be sought and will be an important part of the inspection. Supervision records and foster carer's records and reviews will be looked at.
- 9.13 Commissioned services will also be contacted during the inspection, for example independent fostering agencies, social work providers, children's homes and voluntary adoption agencies. The inspectors will also interview or telephone the Lead Member for children's services, the LSCB chair and business manager and LSCB partners, the corporate parenting group, the local authority adoption panel chair and the fostering panel chair, family court representatives and CAFCASS.
- 9.14 The Director for Children's Service (DCS) will be updated daily on the progress of the inspection, usually by brief face to face meetings. Cases of concern will be raised immediately for action.
- 9.15 Inspection of the Local Children's Safeguarding Board
- 9.15.1 The Local Children's Safeguarding Boards will also be inspected concurrently. Inspectors will make their judgments on the same four point scale: outstanding, good, requires improvement and inadequate. The focus points of the LSCB inspection will be as follows:
- 9.15.2 The Local Safeguarding Children Board (LSCB) complies with its statutory responsibilities in accordance with the Children Act 2004 and the Local Safeguarding Children Board Regulations 2006.
- 9.15.3 The LSCB is able to provide evidence that it coordinates the work of statutory partners in helping, protecting and caring for children in its local area and there are mechanisms in place to monitor the effectiveness of those local arrangements.
- 9.15.4 Multi-agency training in the protection and care of children is effective and evaluated regularly for impact on management and practice.
- 9.15.5 The LSCB checks that policies and procedures in respect of thresholds for intervention are understood and operate effectively and identify where there are areas for improvement.
- 9.15.6 Challenge of practice between partners and casework auditing are rigorous and used to identify where improvements can be made in front-line performance and management oversight.
- 9.15.7 Serious case reviews, management reviews and reviews of child deaths are used by the local authority and partners as opportunities for learning and feedback that drive improvement.
- 9.15.8 The LSCB provides robust and rigorous evaluation and analysis of local performance that influence and inform the planning and delivery of high-quality services.
- 9.16 Outcome of the inspection
- 9.16.1 On the final on-site day the DCS and senior leaders (two other senior local authority representatives and the LSCB chair) will meet with the inspection team to hear the judgments and the evidence to support them. There should

be no surprises as the daily meetings should have kept the DCS up to date. Judgments are provisional at this point until the local authority has had an opportunity to respond and request corrections/amendments to factual errors and until the report and judgment is finalised and then published on the OFSTED website.

#### 9.17 Future inspection plans

9.17.1 Ofsted will be working closely with partner inspectorates to establish the additional criteria required to evaluate and judge the contribution of health, police, probation and prison services in the help, care and protection of children and young people. This work will inform the development of a joint inspection of child protection and safeguarding arrangements to be led by Ofsted from 2015. These criteria will be subject to consultation during 2014.

### 10. LIST OF BACKGROUND PAPERS

10.1 Framework and evaluation schedule for the inspection of services for children in need of help and protection, children looked after and care leavers and reviews of LSCBs, Ofsted, November 2013

<http://www.ofsted.gov.uk/resources/framework-and-evaluation-schedule-for-inspection-of-services-for-children-need-of-help-and-protection>

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