

Decision Report

Decision Maker:	Cabinet
Date:	3 February 2020
Title:	Children's Services Partnership with West Sussex County Council
Report From:	Chief Executive

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Purpose of this Report

The purpose of this report is to confirm with Cabinet the details of the Commission on behalf of the Department for Education (DfE) through which the County Council will provide continuing support for children's services in West Sussex County Council.

Recommendations

1. That Cabinet notes the contents of this report and confirms its support for the Commission on behalf of DfE and the partnership for children's services between the two local authorities.

Executive Summary

2. HCC undertook the role of Commissioner for children's services in West Sussex County Council on behalf of DfE in May 2019 to support that authority in its response to an Inadequate Ofsted inspection of its children's services. This was largely an assessment and diagnostics task. That task was completed according to DfE requirements and HCC has now accepted DfE's further invitation to retain the roles of Commissioner and Improvement Partner, through the Chief Executive and the Director of Children's Services, supported by a team of HCC children's services specialists, to support a longer programme of service improvement. This will last initially for one year but is likely to be extended as the tasks involved typically take two to three years to secure lasting improvement.

Contextual information

3. Hampshire County Council has a strong reputation for working in partnership with other local authorities in the improvement of children services. This particularly began through our partnership with the Isle of Wight Council in 2013 following that local authority's poor Ofsted inspection. As members are aware that has now become a permanent partnership and the services are formally rated as Good by Ofsted. Since then Hampshire has supported a number of local authorities on behalf of DfE in response to poor Ofsted results. These have included Torbay Council, Surrey County Council and most recently Buckinghamshire County Council. This work is consistent with Hampshire County Council's trading and commercial strategies. The work earns a modest income which at a minimum covers HCC costs; it creates internal capacity; it especially strengthens our teams and builds reputation. It also signals this strong authority's commitment to sector led improvement within local government and has been recognised as a strength for Hampshire in both the 2014 and 2019 Ofsted inspections of our social care functions.
4. Hampshire County Council is now accredited as a Partner in Practice for children's services by the Department for Education. This accreditation brings funding which is additional to the bespoke funding which is earned through the specific partnerships described above. As a Partner in Practice, and as an Outstanding local authority in these terms, Hampshire is expected to provide routine support and guidance for other local authorities, especially (but not exclusively) those within the South East region.
5. In early 2019 West Sussex County Council (WSSCC) received a particularly damning Ofsted inspection report which judged the authority to be Inadequate across all of the principal judgement domains. In such circumstances, DfE now appoints a Commissioner to assess the scale of the problem within the local authority for children's services and to consider options for improvement. Partly because of our geographical closeness and our role as the South East Partner in Practice, Hampshire County Council was appointed to this role with the Chief Executive identified as DfE Commissioner, supported by the Director of Children Services and his team in the work of assessing the services and considering next steps for improvement.
6. In what is now a well established process, the first stage of such a Commission lasts approximately 3 months and essentially involves 3 tasks. The Commissioner and team are required to: consider in diagnostic terms the scale of the problems within children's services and the likely necessary remedies; take urgent steps to rectify any immediate problems that may place children at immediate risk; and in particular to form a judgment about the capacity of the corporate environment in the local authority to effectively support the necessary future sustainable improvement of children's services.
7. The Chief Executive and the Hampshire improvement team concluded this initial phase of work in September 2019 and reported to DfE accordingly. It is fair to acknowledge that the report was a difficult process because as well as identifying a series of challenges within children's services, the process identified significant additional corporate challenges which will require

additional strategic work within the wider local authority. This led to the conclusion that an Alternative Delivery Model (a children's trust) would need to be established. These issues have been reported in more detail elsewhere and are not for deeper consideration by Hampshire County Council or this cabinet.

8. The Secretary of State for Education has accepted the Commissioner's report in full and invited Hampshire County Council and the Chief Executive to take on the roles of Improvement Partner and Commissioner respectively for West Sussex County Council for the period of at least the next 12 months. This work will involve a team of Hampshire specialists under the direction of the Hampshire Director of Children's Services working closely with their counterparts in West Sussex to secure the necessary service specific improvements. It will also involve the chief executive of Hampshire County Council in the role of commissioner supporting both the work of the children's improvement programme and the allied work to secure progress in necessary council wide strategic and service-related improvements. The Commission is also subject to a Statutory Direction from DfE to West Sussex County Council affirming Hampshire CC's role and powers in this work.
9. On the latter, wider corporate point, WSCC has now embarked on a significant council-wide improvement programme which includes the introduction of a new Chief Executive, the current Chief Executive of East Sussex County Council who will now take on that role for both East and West Sussex County Councils. This means that a strong three-way partnership is being established between the three neighbouring South East County Councils as a unique arrangement for sector led improvement. The Commissioner is required to report formally to DfE on a quarterly basis. Hampshire County Council is not directly accountable as an organisation for the improvement progress Of West Sussex through this arrangement but should receive at least an annual report about its progress.

Conclusion

10. Hampshire County Council has a well established, hard earned and highly positive reputation for its strength in children's services. That includes its support for other local authorities at times of need. This work, now with West Sussex County Council, while highly complex and challenging, brings substantial benefits as described above and is closely in line with the wider corporate trading and commercial strategy. As in all such enterprises, there is a core principle of "no detriment" to the County Council's central duties to its own residents. The work would not be conducted or sustained if there were any signs of detriment. However, as it has progressed and is now planned, this partnership with West Sussex is a positive step for both authorities and especially for vulnerable children.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	
People in Hampshire live safe, healthy and independent lives:	
People in Hampshire enjoy a rich and diverse environment:	
People in Hampshire enjoy being part of strong, inclusive communities:	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

This report relates to work that the County Council is undertaking to support West Sussex County Council with regard to its Children's safeguarding responsibilities and the recommendations do not impact directly on groups with protected characteristics.