

Plymouth – Torbay Partnership for Children's Services Update for Schools Forum

1. Purpose

- 1.1 The purpose of this report is to update Schools Forum on the work underway to establish a contractual partnership with Plymouth Children's Services for future service delivery, as a sector led approach to deal with under performance in Children's Social Care services.

2. Background

- 2.1 In January 2016, Ofsted judged Children's Social Care Services and the Local Safeguarding Children Board to be inadequate, following an inspection which had taken place in November 2015. Torbay Council had previously been subject to an Improvement Notice in January 2011 following poor performance in its Safeguarding Services for Children and Young People. Whilst services were judged to have shown some improvement in 2013, the most recent inspection found that these improvements had not been sustained.
- 2.2 In May 2016, the Department for Education (DfE) issued Torbay with a statutory direction and appointed John Coughlan, Chief Executive of Hampshire County Council as the Commissioner for Children's Services and Hampshire County Council Children's Services as expert advisors to support improvement.
- 2.3 In July 2016, following Hampshire's input an experienced DCS was appointed by Torbay to work with the Commissioner and Hampshire to drive forward improvement activity and test whether Torbay's aspiration to transfer services into the local NHS Foundation Trust was viable.
- 2.4 After a period of review and discussion, it was concluded that transfer of Children's Services into an NHS body was not practicable and that a stand alone Trust would not address the underlying resource constraints that apply to a Children's Service within a small unitary authority. The Commissioner also concluded that there was no realistic prospect of Torbay Council unilaterally running its own Children's Services and that a partnership with another local authority or authorities would provide the best solution in the circumstances prevailing.
- 2.5 In the early months of 2017, the Commissioner and Directors of Children's Services for Hampshire and Torbay undertook discussions

with a number of local authorities in the South West region, with Plymouth and Devon subsequently providing more detailed submissions. Whilst both proposals were highly credible, the Commissioner's recommendation to the DfE in April 2017 was for Plymouth. This recommendation was subsequently accepted by the Minister who confirmed that he had accepted the Commissioner's recommendation in a letter to Torbay Council in June 2017. It should be noted that the recommendation encompasses all aspects of Children's Services including Education, Early Years and SEN functions.

3. Current Position

3.1 Following the Minister's decision, officers from Plymouth and Torbay have been working together to develop a contractual agreement for Plymouth to deliver Children's Services on Torbay's behalf, with the aim of commencing with an initial operating capability from 1st April, 2018. An 'in principle' decision was taken by Torbay Council at its meeting on 27th September 2017 and in Plymouth on 25th September 2017. Following a period of assurance work a further report is scheduled for consideration by Plymouth Council on 29th January 2018.

3.2 Work is ongoing to finalise the contractual agreement which falls within a revised statutory direction issued to Torbay Council in October 2017 and will require to be signed off by both Councils and the DfE Commissioner before coming into effect. A joint Board led by the Plymouth and Torbay DCS has been established to oversee development work supported by a joint project team and senior officers from both authorities.

3.3 Whilst there is a good deal of detailed work to be completed, the broad features of the operating model are as follows:

- The fundamental political and managerial accountabilities will remain unchanged in that Torbay Council will remain accountable for the quality and effectiveness of its Children's Services.
- A joint Director of Children's Services will fulfil the statutory responsibilities for both areas being accountable respectively to the Chief Executives of Torbay and Plymouth.
- There will be no pooling of budgets or cross subsidy, however, Torbay will make a proportionate contribution to the costs of the joint DCS and senior leadership.
- Torbay practitioners will continue to work Torbay cases and its existing Assistant Director for Children's Social Care and Education will remain in place.
- Initial operating arrangements are likely to be unchanged but with the opportunity to develop new service delivery options over time, for example a shared case management system or shared services particularly where these are nationally determined.

3.4 The process of identifying the joint DCS is yet to commence but will become clearer during February 2018. The joint Board has recognised the need to engage partners and stakeholders as this process matures including direct engagement by the appointee in due course. It is important to note that Education Services have been included within the statutory direction due to the synergy with Children's Social Care rather than concerns about performance as has been the case in Children's Social Care. As an example the proposed report to Plymouth City Council notes that Torbay's Education Services are performing well with outcomes for children and young people at or above comparators.

4. Recommendations

4.1 Schools Forum are asked to note this report and agree to receive further updates as the work to develop arrangements with Plymouth City Council progress.

Andy Dempsey
Director of Children's Services
10th January 2018