

# Review of “Stronger Somerset” Children’s Services Proposal

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## 1. **Introduction**

- 1.1 I have been asked by Somerset County Council to review the proposal put forward by “Stronger Somerset” in respect of the effect on Children’s Services. The proposal recommends, as part of dividing Somerset into two unitary Councils, creating a single, Somerset-wide, Alternative Delivery Model (ADM) for children’s services, jointly owned by the Councils with the Councils retaining “control over services”. I comment on the overall proposal only in so far as, in my view, it has advantages or disadvantages for Children’s Services.

### Author’s Expertise:

I have been Director of Children’s Services in two authorities and a Director of Social Services prior to that.

I was Director of Children’s Services for Northumberland County Council between 2004 and 2010. Northumberland County Council became a unitary authority in 2008 being created from the predecessor County and six District Councils. At the point of my leaving the Council, it had an excellent rating in terms of the Children’s Social Care ratings of the time and was in the top 10% of Councils by the local authority education ratings of the time. Within a year of my leaving, the Council received an outstanding Ofsted inspection result for children’s social care. I was part of the management team for the transition to unitary status with specific responsibility for day one readiness.

I was appointed Director of Children’s Services for Cornwall Council in 2010, a year after it had become a single unitary authority. Shortly after the new unitary Cornwall became operational, it had received a damning Ofsted report for its Children’s Services with an inadequate rating in every category. During my ten-year tenure at the Council, the Ofsted rating improved to adequate in 2013, good in 2016 and outstanding in 2019. To my knowledge, at the time of my retirement at the end of 2019, Cornwall Council was the only authority to have an outstanding Ofsted social care inspection rating as well as a strong inspection result for Special Educational Needs and Disability (SEND) and a positive multi-agency Joint Targeted Area Inspection (JTAI) for children.

As a Commissioner and Advisor for the Department of Education. I write this report in a personal capacity and any views and opinions are mine alone.

## 2. **Summary of findings**

- 2.1 Somerset County Council Children's Services has been on an improvement journey since an inadequate Ofsted rating in 2015. Overall evidence is that significant progress has been made. The latest detailed data available (produced 23<sup>rd</sup> November 2020) indicates solid performance when set against statistical and regional neighbours with clear signs that the early help/prevention strategy is effective in terms of reducing more acute and resource heavy interventions. In addition, the Council in 2019/20 agreed substantial investment in Children's Services in developing new models of practice to strengthen community support to families and non-statutory support services. In 2020/21 the Council has agreed investment into new models of care.

The Stronger Somerset proposal is to create an ADM crossing two newly created authorities. The proposal sets out broad intentions for improving children's services which are aspirational but not specific. The governance and finance model for the new vehicle is not yet available. As the proposed delivery model is for two authorities, it must be assumed that there will be additional governance costs and a commissioning/client role for each of the new Councils. Stronger Somerset anticipates that the new start implicit in a new organisation will create the impetus to solve long term problems around employment opportunities for young people, the attainment gap between disadvantaged children and the majority, as well as improved relationships with schools, improved children's social care and better services for children with special educational needs. No detail is included in the document other than references to approaches such as the Hertfordshire Family Safeguarding Model which will be considered. The proposal lacks detail on how the ADM would continue the improvement journey in Somerset and does not address the fundamentals that need to be in place for high-performing children's services which I outline below.

An ADM responsible for two authorities needs to have clear advantages to outweigh the obvious practical and financial problems of two Councils, with possibly different political and strategic priorities both controlling one organisation. Those problems include budgetary alignment and prioritising, with two Councils, the multiple reporting requirements for the Chair, non-executives and senior managers, and additional cost and bureaucracy. If one Council hosts the organisation on behalf of the other, this addresses some of the issues but creates others, and is not part of the proposal. Stronger

Somerset recognises that it is not in the interests of children and young people in Somerset to create two children's services departments but I don't believe the case is made in the proposal for an ADM with all the disruption and uncertainty that would mean for the existing improvement journey. The Stronger Somerset bid is not explicit about the reasons for the proposal for an ADM.

The conclusion I have drawn is that they consider the proposed two unitary Councils would not have the capacity to operate effective children's services on their own.

### 3. **What are good or outstanding Children's Services?**

3.1 Stronger Somerset claims it "will" bring about a "step-change" in outcomes and experience for all children in Somerset. Before going on to comment on the validity of this claim, it is important to set out what should be expected of a good or outstanding local authority children's service. In broad terms, this matches the aspirations of the Stronger Somerset bid. That is, a local authority that aims to reduce the gap, or level up, in terms of opportunities and outcomes for vulnerable children in both education and employment. More specifically it means a local authority that works well with schools, health partners, the police, and the voluntary sector, with shared and well understood priorities and that delivers high quality children's social care services for the most vulnerable children and families which are recognised by a good or outstanding Ofsted rating. Around 10% of Councils enjoy an outstanding rating and an examination of their Ofsted Inspection of Local Authority Children's Services reports (ILACS) show they have significant factors in common. These include:

- Demonstrating through policy, culture, and casework that the child is at the centre of all they do,
- Clear and well understood performance and quality standards,
- Having a well understood social work model,
- A strong workforce strategy with a well-trained and stable workforce with low numbers of agency staff and interim managers,
- A strong performance culture with an understanding of why relevant data is important,
- Strong management oversight which can demonstrate regular and reflective supervision
- Strong and visible leadership

- A corporate culture that understands and supports children's services including financially.

#### 4. **Somerset County Council Children' Services performance**

4.1 Somerset County Council Children's Services most recent major inspection in 2017 found the services required improvement to be good. This followed an inadequate judgement in 2015. The overall conclusion was that:

"Since the last inspection in 2015, when Somerset children's services were judged as inadequate overall, the local authority has made steady progress in improving the quality of services that children and young people receive. Senior leaders have worked effectively with an improvement partner, and they have created a culture of openness and willingness to learn that supports further improvement."

Ofsted conducted a visit focussed on the first point of contact for children being referred to the Council in February 2019 and found that whilst the authority had increased the number of permanent staff and managers and lowered caseloads, and that senior leaders had an accurate understanding of quality of practice, the standard of service children and families received was too variable.

A Joint local area Special Educational Needs and Disability (SEND) was conducted by Ofsted and the Care Quality Commission in March 2020 which resulted in the Chief Inspector issuing a Written Statement of Action (WSOA) because of significant areas of weakness in the local area's practice. This is a joint responsibility with Somerset Clinical Commissioning Group. Nationally, around 60% of areas inspected have required a WSoA, and there is currently a national review underway to address the systemic challenges in relation to the SEND system.

The DfE have in 2019/2020 awarded specific grants to the Council in response to submitted bids and in competition with other LAs:

Fostering Feasibility Study – working with another LA to look at strengthening informal community support for foster carers

Family Drug and Alcohol Court – working with the local courts

Social Workers in Schools – phase 2 of a national programme

Because of the Covid epidemic Ofsted have suspended ILACS inspections since March 2020, but in normal circumstances Somerset would probably have had a further major inspection in the last year. The Council's self-assessment argues that it now merits a good overall rating and sets out evidence accordingly, and it argues progress against all of the criteria set out above and supports the argument with case audit results.

In Summary

Ofsted 2015 – Inadequate

Ofsted 2017 – requires improvement, positive text

Ofsted 2019 – focussed visit to front door confirming continued progress

Ofsted/CQC SEND 2020 Statement of Action

Ofsted annual conversation 2020 confirming continuing positive progress

## 5. **Stronger Somerset Proposal**

- 5.1 Stronger Somerset describes its plan for children's social care and education as "radical and ambitious" and claims it will "greatly improve outcomes whilst building services which are financially sustainable." It seeks to support the "ambitions and aspirations of every child and ensure that none are left behind." It expresses a general dissatisfaction with current children's services in the County though the only specific criticism it offers is "our engagement with the sector has highlighted the widespread view that there is currently too much professional and organisational silo working in children's services." The sources of this view are not identified.

The core of the proposal is that the two new Councils will jointly own and control a single ADM to deliver children's services on their behalf. The new vehicle would include the range of local authority children's services including social care, SEND and school support. Implicit, though not stated, by Stronger Somerset, is that each of the envisaged new authorities is too small in its own right to have a standalone children's services function. A "distinct Eastern/Western focus" is mentioned as an aim but with no further detail beyond envisaging "area-based delivery and commissioning functions". The report acknowledges that it lacks any detail around ownership, governance or legal form of the new company but says the new Councils would retain ownership and control. The new ADM, it is claimed, will deliver stronger leadership, and create the conditions for outstanding services and cites Achieving for Children, an ADM delivering children's services for the London Boroughs of Richmond and Kingston, and Windsor and Maidenhead.

It envisages the new ADM delivering an agreed Stronger Somerset practice model though this model is not described beyond a reference to considering

external practice models such as the Hertfordshire Family Safeguarding approach, one of several systemic, strengths-based approaches. The County Council is already introducing this model with the support of Hertfordshire. The Council in 2019 agreed substantial upfront funding to invest in this model as the authority did not meet the eligibility for DfE funding (I understand that this was because the care population rate is below statistical neighbours). The model includes multi-agency teams, working across both adults and children's services, and the NHS, to ensure families have a seamless journey through services. It is not clear how the Stronger Somerset proposal adds value to what has already been agreed.

The new ADM would have a single Director of Children's Services (DCS) but because there is no detail on proposed governance for the ADM or what kind of company it would be, the reporting lines of the DCS are not clear. Presumably, each Council would have a Chief Executive and a lead member for children as required by statute, and the company would need a chair and a board.

## **6. Comment and Opinion**

6.1 Major local government reorganisation typically sets up local democratic structure for the next 40 or 50 years. For example, the current Somerset arrangements were established in 1974. The Stronger Somerset document attempts to be both a structural proposal and a manifesto for the two new Councils should they be established. It is important to distinguish between the two, and this is particularly the case when considering children's services. The overall proposal identifies many of the problems faced by Somerset; from a children's perspective that includes the high numbers living in poverty and relative poverty, low social mobility, and comparatively poor local job prospects. There is an assumption in the document that a new structure will somehow address these problems when any structure is self-evidently solely enabling. How effectively economic, social and environmental issues are addressed depends upon the approach of whoever is elected to those structures, and who is employed to work for them. A structure of a single unitary or two unitary authorities does not in itself address these problems and the claims made for the outcomes of the structure alone are unconvincing and without evidence.

In terms of children's services, the ADM could be established whether Somerset has one or two unitary Councils. As with the broader proposals, there should be no assumption that an ADM would bring about the changes in leadership and culture envisaged. If new leadership and a new approach is needed, this can be achieved with or without an ADM. All the outstanding

rated children's services in the country with the exception of Kingston, 14 in all, are traditional in-house council models. ADMs have generally been imposed on Councils with inadequate ratings and under Secretary of State intervention and have had mixed success. No evidence is provided by Stronger Somerset as to why an ADM will deliver its ambitions. The existing service, like most children's services departments has a strengths-based approach to practice. Such approaches were adopted following the 2011 Munro Review of Child Protection, commissioned and published by the DfE and should be central to practice in every authority. The Hertfordshire Family Safeguarding model which Stronger Somerset says it supports has already been adopted by the County Council, and having a separate children's ADM could add to the complexity of delivering this multi-agency model.

In 2018/19 over half of local authority children's services departments overspent. This was primarily for three reasons: increased demand, the cost of placements and the cost of agency staff. All authorities seek to control their costs by helping children and families early to prevent the more acute costs associated with child protection plans and high numbers of children in care. All authorities attempt to recruit permanent social workers and managers. Doing this is challenging in the face of increasing demand, more expensive placements in a seller's market, and a shortage of qualified social workers and managers. Some Councils have been successful in demonstrating that their early help is preventing more acute costs and are controlling expenditure accordingly as well as delivering better outcomes for vulnerable children and their families. An ADM in itself does not achieve financial control, but realising the conditions for a successful service listed above does. The creation of an ADM will add to costs because of the presumed necessity to have a board with a chair, probably a separate finance director and other associated support costs. Such costs should be factored into a two unitary proposal.

The proposal's aspirations for children in Somerset are laudable and would undoubtedly be supported by all local people and stakeholders. The difficulty with the proposal is that it makes huge assumptions as to the outcomes the envisaged ADM will deliver without providing evidence or supporting detail. There are possible advantages in an ADM around flexibility and the possibility of delivering broader, more integrated services particularly around health and SEND, though these are not set out in the proposal. However, such an ADM is equally possible with either one or two unitaries.

Children's services in Somerset are on an improvement journey and anticipate a good at their next Ofsted inspection. An ADM is not without merit but can be applied to either model. Setting up an ADM is complex, time consuming

and resource heavy and risks detracting from the improvement journey. It should only be done if the advantages are clearer than set out in Stronger Somerset.

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