

Multi-Agency Inspection of Child Protection: A Position Paper from ADCS, LGA and Solace

Executive Summary

The current inspection regime for the protection and care of children and young people is flawed and not conducive to improvement. The ADCS, LGA and Solace have agreed to collaborate on a radical new alternative model of accountability for children's services.

Our approach is set within the wider arrangements for accountability which already exist, including the publication of performance data, arrangements for scrutiny and the challenge provided by sector peers. It is also developed in the context of the sector's approach to improvement which is based on the following premises:

- Councils are responsible for their own performance and improvement and for leading the delivery of improved outcomes for local people in their area.
- Councils are primarily accountable to local communities (not government or the inspectorates) and stronger accountability, through increased transparency, helps local people drive further improvement.
- Councils have a collective responsibility for the performance of the sector as a whole (evidenced by sharing best practice, offering member and officer peers, etc.).

This paper focuses on the role and arrangements for a new approach to inspection. Subsequent discussions will focus on the approach to supporting improvement children's services.

To support this new accountability framework inspection must be fit for the context in which children's services operate and crucially it should lead to better outcomes for children and their families. It must be multi-agency and it must keep pace with the rapid transformation of service delivery taking place in councils. The ADCS, LGA and Solace would like to see the introduction of an accountability framework which is: less reactive and more holistic than the current Single Inspection Framework (SIF); properly able to evaluate the effectiveness of the contributions made by each of the multi-agency safeguarding partners to protect children; and, able to capitalise upon the tremendous amount of existing research and data available to monitor the quality of services being provided for children, young people and their families.

On 26 February¹ 2015 Ofsted, on behalf of its fellow inspectorates, published a response to the consultation and evaluation of the pilots for Integrated Inspection. In summary the inspectorates have concluded that the methodology used in the pilots "...did not add enough inspection value to enable a proper multi-agency evaluation of services for vulnerable families, children and young people living in that local authority area." Instead, Ofsted announced that the inspectorates, their relevant government departments and sector representatives will work together to devise a programme of truly joint inspection looking at targeted areas of practice either by theme or locality. These targeted inspections will evaluate how local agencies work together to protect children.

ADCS, LGA and Solace welcome the recognition by the inspectorates not to go ahead with the deeply flawed proposal for Integrated Inspection which would have had as its spine, the current Ofsted SIF. Targeted, proportionate and responsive multi-agency inspection resulting

¹ <https://www.gov.uk/government/consultations/integrated-inspections-of-services-for-children-in-need-of-help-and-protection-children-looked-after-care-leavers-joint-inspection-of-the-local-s>

in a shared narrative judgment is a prize worth having and one that the three Associations have been advocating for some considerable time.

We believe that inspection has three core functions, and these functions should be underpinned by some guiding principles:

- a) **Function:** It must facilitate a learning culture that supports local authorities to develop their services and drive improvements in outcomes for children.
Guiding principles: Open and transparent quality assurance processes between inspector and inspected and between findings 'in the field' and moderation; greater use of thematic studies, particularly focused upon issues that all local areas struggle with; identification of good practice.
- b) **Function:** It should ascertain whether the range of services being provided lead to better outcomes for children and their families and that inherent risks are being appropriately managed.
Guiding principles: Children's outcomes are paramount no matter how they are procedurally achieved; it is not possible to eradicate risk but it can be managed and the making of such a judgment requires current, or at least recent, leadership and practice experience.
- c) **Function:** It is a vehicle through which public sector organisations are held to account for the effectiveness of outcomes achieved for children and their families in relation to expenditure.
Guiding principles: Given the scarcity of public funds, inspection findings should comment upon the effectiveness of the outcomes achieved in relation to expenditure; the smarter use of metrics – nationally collected and local data.

The main objective for an effective model of inspection is to ensure that it has children's outcomes at its centre, and not institutional boundaries. An outcomes focused framework, applied differentially in proportion to risk, which draws upon the expertise of practice and corporate leaders from within the children's sector in its design and delivery is required. Also required are high quality inspection teams, effective cross-inspectorate collaborations, and the smarter use of existing performance data. Inspection then becomes more anticipatory and better able to play a constructive part in system monitoring, improvement and spotting the antecedent of problems early before they become entrenched.

A portfolio approach – The SIF should be stood down and unannounced inspection of 'front door' arrangements (contact, referral and assessment) should be reintroduced (ideally on a multi-agency basis, depending on local 'front door' arrangements). If this inspection identifies serious concerns or inadequacies then the local authority and its partners would be subject to a wider, multi-agency joint inspection with a narrative, instead of a crudely graded, overall judgment. It is also our belief that thematic studies have the potential to become the bedrock of the improvement offer by helping all providers to understand and better identify the practice, management and leadership issues that affect us all, and to disseminate good practice. A rolling, modular programme of thematic multi-agency studies should therefore be developed and deployed, in conjunction with the sector, to complement the unannounced inspection of 'front door' arrangements. We welcome the recognition by the inspectorates of the value of evaluating thematic areas of practice.

All too often support for local areas is brokered in response to a critical incident or a negative inspection report, however, we believe our proposal represents a shift towards earlier

identification of areas causing concern before issues become entrenched and outcomes for children, young people and their families are adversely affected.

1. Introduction

1.1 The Association of Directors of Children's Services Ltd, (ADCS) is the professional association for directors of children's services and their senior management teams. Under the Children Act 2004, the DCS is the chief officer responsible for the discharge of local authority functions for children's education and social care. The Local Government Association (LGA) is the national voice of local government and its mission is to support, promote and improve councils. The LGA works with councils to achieve a shared vision for local government by focusing its efforts where it can have real impact, being bold and ambitious, and supporting councils to make a difference, deliver and be trusted. Solace is the representative body for over 1300 Chief Executives and senior strategic managers working in the public sector in the UK. Solace is committed to promoting public sector excellence. It provides its members with opportunities for personal and professional development, and seeks to influence debate around the future of public services to ensure that policy and legislation are informed by the experience and expertise of its members. Whilst the vast majority of Solace members work in local government it also has members in senior positions in health authorities, police and fire authorities and central government.

1.2 Our three organisations have worked together to articulate a set of principles that our respective members believe will be the basis for a more responsive and effective multi-agency inspection programme that evaluates in a proportionate way the contributions of each local agency to the protection and safeguarding of children, young people and families. On the basis of the proposals in this document we will enter into dialogue with the inspectorates and the relevant government departments to establish a programme of inspection that is fit for purpose, replacing, eventually, the current Ofsted Single Inspection Framework (SIF), which we believe to be flawed and ineffective relative to the significant resource required to operate it.

1.3 This paper focuses on the role and arrangements for a new approach to inspection. Subsequent discussions will focus on the approach to supporting improvement children's services.

2. The Case for Change

2.1 It is important that public services are open to rigorous, independent scrutiny and challenge, however, inspection methods and models must keep pace with rapid transformation taking place in local areas; provision in local areas is increasingly disparate and as a result it will become increasingly hard to inspect arrangements against the fixed and rigid models favoured by the inspectorates in the past. The burden of inspection in children's services has not been reduced by the introduction of the SIF, which 'replaced' several separate inspection frameworks. This is because it has failed to be delivered differentially based on the size of a council or on risk. Monolithic models delivered on universal cycles are no longer fit for purpose given a great number of factors influence the performance of a local area. Greater flexibility must be built into regimes to take into account the local context of operations e.g. partnership working, the number and profile of residents and the scale and scope of commissioning arrangements in place.

2.2 On 26 February² 2015 Ofsted, on behalf of its fellow inspectorates, published a response to the consultation and evaluation of the pilots for Integrated Inspection. In summary the inspectorates have concluded that the methodology used in the pilots "...did not add enough inspection value to enable a proper multi-agency evaluation of services for vulnerable families, children and young people living in that local authority area." Instead, Ofsted announced that the inspectorates, their relevant government departments and sector representatives will work together to devise a programme of truly joint inspection looking at targeted areas of practice either by theme or locality. These targeted inspections will evaluate how local agencies work together to protect children.

2.3 **Resources** - The burden of the current inspection regime in children's services is significant and it is costly to deliver. It places excessive pressure on all councils by failing to be delivered differentially based on the size of the council or risk and places unsustainable pressure on the inspectorate. The burdens on councils occur before, during and after inspection activity, without significant evidence of a positive impact, during a period of significant fiscal challenge for local government.

2.4 **Expertise** - The experts that can advise on how to improve services are based within the sector. Local government is a learning community and the new model must unlock the expertise of the practice and corporate leaders working within it and within the wider children's services sector. This capacity is already partly developed, led by the LGA and councils themselves, often on a regional basis.

2.5 **Gradings** – Single worded judgements cannot adequately capture the complexities and the interdependencies of agencies' actions to protect and care for children in a local area, and therefore cannot form a basis for improvement. Narrative judgments are used in Coroner's courts, by CQC and HMIC in their assessments of the effectiveness of child protection arrangements in individual health and policing services, respectively and indeed by Ofsted in its inspection of council arrangements to support school improvement. Narrative judgements are a much better way of acknowledging the high risk and complex nature of this work. We are pleased that Ofsted has recognised this. The current inspection regime, the SIF, has at time of writing, judged 70% of the councils inspected thus far, to be less than good. This cannot be right when national data show 20 of the 29 performance indicators in children's services have improved since 2007³. The Ofsted construct of the 'inadequate local authority' is counterproductive to recruiting and retaining high quality social work staff, with vacancy rates running as high as 50% in some local areas, forestalling the organisation's capacity to improve outcomes for children, young people and their families.

2.6 **Narrow focus** – The current inspection regime is institutionally-based rather than being based on inspecting against specific outcomes, client groups or risks. It is a fallacy that a single word judgement can convey the findings from an in-depth review of arrangements. The ADCS, LGA and Solace would like to see the introduction of an accountability framework which is less reactive and more holistic. One that is properly able to evaluate the effectiveness of the contributions made by each of the multi-agency safeguarding partners to protect children and capitalises upon the tremendous amount of existing research and data

² <https://www.gov.uk/government/consultations/integrated-inspections-of-services-for-children-in-need-of-help-and-protection-children-looked-after-care-leavers-joint-inspection-of-the-local-s>

³ See appendix 1 and also <http://www.local.gov.uk/documents/10180/11981/Companion+Report+G++Data+Analysis+Final.pdf/055a999d-2fd0-48bd-b83a-4d6f75692b54> (originally published May 2014)

available to monitor the quality of services being provided for children, young people and their families.

2.7 Data – Some 40,000 data items are collected from every council, every year by various government departments and agencies. 40 of the 151 data collections currently on the single data list relate directly to children's services⁴. Whilst this wealth and breadth of data is provided to government departments, little, if any, intelligence is created or shared back with councils in a timely way. Better use of this information, including by making it available to the sector, would provide a more sophisticated picture of performance, allowing outcomes rather than processes to be measured. The current gathering and analysis of the same information by different government departments and Ofsted is inefficient and should be replaced by a single, transparent repository, accessed by all.

2.7.1 If these statutory returns could be streamlined and if the data submitted was made accessible to the relevant inspectorates, this would provide a reliable and valid picture of performance whilst easing a significant burden on councils and the inspectorate, the latter would then be able to ask for a smaller amount of more focused information from the council prior to any inspection and without recourse to separate returns. The situation is exacerbated by unprecedented resource reductions for skilled staff in this area who are diverted from undertaking service improvement work due to the overwhelming burden of ongoing data requirements and pre-inspection readiness.

2.7.2 Ofsted currently inspects councils' performance around safeguarding, child protection, early help and CSE, among others, on behalf of the whole local partnership. Yet for a council to discharge these responsibilities effectively it is reliant on all partners sharing data with it in close to real time – especially attendance, exclusion, attainment, health, children missing education and alternative provision data – yet partners are not mandated to provide this information and can opt out of doing so. Recently, CSE has galvanised a whole government response around the necessity of good information sharing, yet systemic barriers remain, especially around academies' and health data. In some areas, such as Troubled Families, there are already well developed models which deliver positive data sharing, leading to deeper intelligence but more integration between government departments is required to make this type of approach more widespread and embedded.

2.7.3 The development of effective mechanisms for peer review and sector led improvement has promoted a culture of continuous improvement which informs self-awareness and assessment in councils. The products of good self-assessment work by councils, which may take the form of a DCS 'stocktake', should reasonably be expected to provide a triangulation opportunity that updates and contextualises the statutory data submissions.

2.8 Whatever reservations there may be in the sector about the current arrangements, it remains the case that effective inspection can contribute positively to the improvement of services, but it cannot do so alone. The experience of inspection must aid improvement. An outcomes focused framework, which draws upon the expertise of practice and corporate leaders from within the children's sector and wider local government in its design and delivery is required, as are high quality inspection teams and effective cross-inspectorate collaborations.

⁴ See appendix 2

2.9 Any new model must be predicated on the sector itself playing a more prominent role. Marshalling the totality of resources available in the system and playing to the respective and complementary strengths of the regulators and local areas to achieve common objectives can only serve to make inspection a more efficient and robust diagnostic exercise. Inevitably, this will be labour-intensive and time-consuming, however, this must be achieved.

3. Our Proposed Model of Inspection

3.1 It is vital that inspection keeps pace with the reality of local multi-agency safeguarding, early help and 'front door' arrangements. The failure of the various inspectorates to develop an effective and truly multi-agency framework to date to assess how well each partner contributes to the safeguarding and protection of children in a locality is disappointing. The imperative to do so has never been stronger and we believe valuable opportunities to progress understanding and practice are being lost as a result. We do not under-estimate the difficulty of judging safeguarding and social care work. There are some complex legislative matters which must be also resolved with regards to the power of one inspectorate to publicly judge the effectiveness of the work of another service. That is a matter for government to address.

3.2 The proposals that follow should form the basis of the new targeted, local area, multi-agency, thematic inspection programme. Indeed, several aspects of the proposal have been accepted by Ofsted already. The ADCS, LGA and Solace have agreed to collaborate on a radical new alternative model of accountability which should be based on the following premises:

- Councils are responsible for their own performance and improvement and for leading the delivery of improved outcomes for local people in their area.
- Councils are primarily accountable to local communities (not government or the inspectorates) and stronger accountability, through increased transparency, helps local people drive further improvement.
- Councils have a collective responsibility for the performance of the sector as a whole (evidenced by sharing best practice, offering member and officer peers, etc.).

3.3 We believe that inspection has three core functions, and these functions should be underpinned by some guiding principles:

- a) **Function:** It must facilitate a learning culture that supports local authorities to develop their services and drive improvements in outcomes for children.

Guiding principles: Open and transparent quality assurance processes between inspector and inspected and between findings 'in the field' and moderation; greater use of thematic studies, particularly focused upon issues that all local areas struggle with

- b) **Function:** It should ascertain whether the range of services being provided lead to better outcomes for children and their families and that inherent risks are being appropriately managed.

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- c) **Function:** It is a vehicle through which public sector organisations are held to account for the effectiveness of outcomes achieved for children and their families in relation to expenditure.

Guiding principles: Given the scarcity of public funds, inspection findings should comment upon the effectiveness of the outcomes achieved in relation to expenditure; the smarter use of metrics – nationally collected and local data.

3.4 With the above functions and principles in mind, we propose that the universal cycle of inspection is stood down and replaced by a portfolio approach to inspecting multi-agency child protection work.

3.5 The rich body of data collected by a wide range of government departments and organisations must be put to better use in the measurement of performance. This would allow a downturn in performance to be identified earlier and addressed swiftly before issues become entrenched, importantly, it would also allow regulators to be more confident in their judgements. A voluntary, non-burdensome annual self-assessment or DCS 'stocktake' could augment national data, to provide up to date contextual information. Inspectors could then seek to quality assure this self-evaluation using existing data.

3.6 We believe the unannounced inspection of 'front door' arrangements (contact, referral and assessment) should be reintroduced on a single or multi-agency basis (dependent upon local arrangements). This would result in a narrative report that provides clear descriptions of the practice observed, whether practice meets the required standards along with codified suggestions for improvement. If this exercise identified significant inadequacies or concerns which appear to indicate the antecedent of service failure, then the authority, and its partners, would be subject to a wider, multi-agency joint inspection, with a narrative judgment. A narrative judgment would serve to instil public and professional confidence by drawing out strengths as well as weaknesses at a time when the stakes have never been higher; a negative result triggers a familiar chain of events – leadership needs a chance to lead and a narrative judgment would provide the space for that to happen.

3.7 Alongside these arrangements we would like to see an evolution, and a significant expansion, of thematic studies in order to understand and identify better the practice, management and leadership issues that affect us all, and to disseminate good practice. A rolling, modular programme of regular multi-agency thematic studies should be developed and deployed, in conjunction with the sector. It is our strong belief that a rolling modular programme of thematic studies has the potential to become the bedrock of the improvement offer. We are delighted that the inspectorates have recognised the value of evaluating thematic areas of practice. The themes would focus on multi-agency issues or matters all local areas struggle with e.g. improving outcomes for NEETS or tackling domestic abuse, and would be identified via analysis of the available data and in consultation with the sector.

3.8 Written reports would be provided to participating agencies detailing whether practice meets the required standards along with codified suggestions for improvement as appropriate. Collectively, the agencies subject to these 'new style thematic studies' could be brought together to identify and share learning, which could then be published publicly. The majority of local areas have something to give and all have something to gain in driving up the performance of the sector as a whole.

3.9 The teams delivering these new style thematic evaluations might usefully include an elected member, a senior civil servant as appropriate to the theme being reviewed, plus a

leading expert in that field, say an academic, in addition to practice and corporate leaders from the relevant statutory agencies and voluntary sector organisations.

3.10 Practice and corporate leaders could be nationally accredited as part of an objective national framework.

3.11 The current SIF incorporates a concurrent review of the effectiveness of the Local Safeguarding Children Board (LSCB). LSCBs are partnership arrangements; they are not agencies in their own right. In recent years, there has been a drip feeding of additional expectations and responsibilities placed upon LSCBs. Future inspection arrangements must properly distinguish the role of the LSCB in scrutinising and challenging practice from the role of agencies in actually delivering high quality services. To achieve this clarity, we urge the new government to review and clarify the role, purpose and function of LSCBs. Then, it will be possible for inspection to make a sensible evaluation of the effectiveness of the LSCB in scrutinising and challenging practice.

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Appendix 1

Children's services indicators - local authority average figures since 2007 ¹							
<ul style="list-style-type: none"> ▲ Improving (high is good) ▼ Improving (low is good) ▲ Worsening (low is good) ▼ Worsening (high is good) ▲ Unchanged 	Current average	2010 average	% change since 2010	Direction of travel since 2010	2007 average	% change from 2007	Direction of travel since 2007
Positive outcomes for young people							
NEETs (16-18 year olds)	5.9	6.1	-3%	▼	6.9	-14%	▼
Percentage of half days missed due to overall absence in all schools	5.1	5.9	-14%	▼	6.4	-21%	▼
Permanent exclusions - secondary	0.15	0.17	-12%	▼	0.19	-21%	▼
First time entrants to Youth Justice System	900	1,214	-26%	▼	2,126	-58%	▼
Under 18 conception	31.9	37.7	-15%	▼	44.5	-28%	▼
Health and wellbeing							
Low birth weight rate	7.4	7.3	1%	▲	7.6	-3%	▼
Prevalence of breastfeeding at 6-8 weeks	45.9	48.3	-5%	▼	45.4	1%	▲
Hospital admissions for children and young people	124.9	127.3	-2%	▼	125.0	0%	▼
Excess weight in reception year	22.7	23.2	-2%	▼	23.3	-3%	▼
Excess weight in year 6	34.4	33.9	1%	▲	32.4	6%	▲
Attainment							
Achievement of at least 78 points across the Early Years Foundation stage	63	56	13%	▲	45	40%	▲
Key Stage 2 Level 4 English and Maths	79	74	7%	▲	71	11%	▲
GCSE achieved (5A*-C including English and maths)	59.0	55.1	7%	▲	45.4	30%	▲
Level 2 qualification by age 19	82.9	78.4	6%	▲	70.5	18%	▲
Level 3 qualification by age 19	56.1	52.1	8%	▲	45.9	22%	▲
Keeping children safe							
Repeat referrals (%)	23.2	23.5	-1%	▼			
Second or subsequent child protection plans	13.0	12.9	1%	▲	13.2	-2%	▼
Child protection plans lasting 2 years or more	4.0	6.7	-40%	▼	6.8	-41%	▼
Supporting children in the care of the community							
Looked after children's emotional and behavioural health	14.2	14.4	-1%	▼			
Proportion of children leaving care over the age of 16 who remained looked after until their 18th birthday	63	62	2%	▲			

Looked after children with three or more placements	11	11	0%	▼	13	-15%	▼
Stability of looked after children's placements	67.5	66.5	2%	▲	62.8	7%	▲
Average time between a local authority receiving court authority to place a child and deciding on a match to an adoptive family (days)	183	162	13%	▲			
Outcomes for looked after children							
Looked after children achieving 5 A*-C GCSEs	16.0	14.0	14%	▲	9.3	72%	▲
Care leavers in education, employment or training	58.8	62.1	-5%	▼	62.5	-6%	▼
Care leavers in suitable accommodation	88.4	90.4	-2%	▼	86.7	2%	▲
Sessions missed by looked after children	5	6	-17%	▼	6	-17%	▼
Looked after children excluded from school	11.8	12.9	-9%	▼	14.2	-17%	▼
Looked after children offending aged 10-17 (%)	7.4						

¹ Comparisons between years should be treated with caution as response may vary for different years. The analysis provided here is intended to be used only as a flag for further investigation - and we would encourage interested people to look in to the data in more detail using LG Inform. Full metric details, including periods, base, source and description are provided in Annex B.

Appendix 2

Of the 151 data collections currently on the single data list, 40 of them are for children's services (this equates to 26 per cent). They are:

Child Death Review Panels (LSCB1)	DfE
Children in Need Census	DfE
Children Looked After (CLA) (SSDA903)	DfE
Private Fostering (PF1)	DfE
Children's Social Care Workforce	DfE
Secure Children's Homes (SA1)	DfE
Early Years Census	DfE
Early Years Foundation Stage Profile (EYFSP)	DfE
Admissions: Parental Preferences met	DfE
Admissions: report to the School Adjudicator	DfE
Key Stage assessment data	DfE
School Census	DfE
Alternative Provision Census	DfE
Parental Responsibility Measures – Attendance	DfE
Family Intervention Project (FIP) monitoring	DfE
Pupil Referral Unit Census	DfE
School Admissions Appeals	DfE
School Capacity	DfE
School Condition	DfE
School Exclusion Appeals	DfE
School Workforce Census	DfE
Section 251 financial return	DfE
Special Educational Needs Statement Completion	DfE
Teacher Pension Contributions	DfE
Teacher Pension Service	DfE
NEET 16-18 Year-Olds	DfE

Chief Finance Officer Sign-Off Statements	DfE
Consistent Financial Reporting (CFR)	DfE
Children with Statements of Special Educational Needs (SEN2)	DfE
Child-level data on the reason a two-year-old is being funded for an early education place	DfE
Newly Qualified Teachers - Induction Returns	DfE/TA
Adoption data set and adoption self-assessment	DfE/Ofsted
Placement data collection	DfE/Ofsted
Childcare inspection data	DfE/Ofsted
Social Care data	DfE/Ofsted
Foster care data set and self-assessment	DfE/Ofsted
Local Authority Data Collection of Linked and Federated Provision	DfE/Ofsted
Local Authority Adult and Community Learning provision	DfE/Ofsted
Schools capital outturn	DfE/PfS
Information to support calculations of the minimum funding guarantee to Academies	DfE/EFA