



Leicester
City Council

Minutes of the Meeting of the
OVERVIEW SELECT COMMITTEE

Held: MONDAY, 23 MARCH 2015 at 5:30 pm

P R E S E N T :

Councillor Dawood (Chair)
Councillor Senior (Vice Chair)

Councillor Chaplin
Councillor Clarke
Councillor Cooke
Councillor Grant

Councillor Kitterick
Councillor Newcombe
Councillor Osman
Councillor Porter

Councillor Singh
Councillor Waddington
Councillor Westley
Councillor Willmott

In Attendance

Arshad Daud – Youth Representative
Yash Sharma – Youth Representative
Guled Yakub – Youth Representative

Sir Peter Soulsby – City Mayor
Councillor Palmer - Deputy City Mayor
Councillor Dempster

Councillor Cleaver
Councillor Dr Moore

Councillor Cole
Councillor Unsworth

Also Present

Ms Carolyn Lewis – Church of England Diocese
Ms Rabiha Hannan – Muslim Faith Representative
Gary Garner – Unison Representative
Gaynor Garner – Unison Representative

90. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Rita Patel and Andy Smith, the previous Director of Social Care and Safeguarding.

90. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Rita Patel and Andy Smith, the previous Director of Social Care and Safeguarding.

91. DECLARATIONS OF INTEREST

There were no declarations of interest.

92. CHAIR'S ANNOUNCEMENTS

The Chair welcomed everyone and explained that this was an important meeting to look at the events surrounding the findings of the recent Ofsted inspection of Children's Services and also any impact on Adult Social Care Service following the departure of the Interim Director. Members of the Children, Young People and Schools and the Adult Social Care Scrutiny Commissions had been invited to join the discussion for each item. The Chair added that there was an aim to close the meeting at 9.00 pm.

93. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

that the Minutes of the meeting of the Overview Select Committee held on 15 January 2015 be confirmed as a correct record.

94. REPORT OF THE FINANCE TASK GROUP

RESOLVED:

that the Report of the Finance Task Group be noted.

95. OFSTED REPORT ON THE INSPECTION OF SERVICES FOR CHILDREN IN NEED OF HELP AND PROTECTION, CHILDREN LOOKED AFTER AND CARE LEAVERS AND REVIEW OF THE EFFECTIVENESS OF THE LOCAL SAFEGUARDING CHILDREN BOARD

The Chair led a debate relating to the recent Ofsted Report which was published on 20 March. He explained that a number of questions from Members had been submitted in advance in order that the responses could be received and considered before the meeting commenced. The Chair had formed the questions into groups of what he considered to be significant events in the Review of Children's Social Work. There were nine significant events in total and these are attached at the back of the minutes. The Chair thanked the Chief Operating Officer. (C.O.O.) and officers for submitting their responses within a short timescale.

A concern was expressed about the timing of the meeting, given that the Ofsted Report was only published on Friday 20 March 2015. The Monitoring Officer responded to the concerns and stated that his advice had been that it was appropriate for the report to be considered at the meeting, as it was an external report from an outside agency, over which the council had no control. In addition, it would not have been possible to call a meeting within the five clear day rule to consider the findings of the Ofsted Report, as this would have meant that the meeting would have fallen within the pre-election period.

The Chair suggested that following the meeting, a report would be produced with recommendations for the City Mayor.

Event 1: Inception and Design of the Review

The C.O.O. explained that the review had been modelled around the Thorpe Report commissioned by the former Interim Director of Children's Services (DCS) with a plan for 18-20 cases per social workers. Members commented that with a reduction in staffing, some social workers workload increased to 20-25 cases which they said was unacceptable. The C.O.O. thought that the higher case-loads were because of vacancies and absence. Members questioned whether the review was misinformed. The C.O.O. responded that in his view, the review was not misinformed. Ofsted had endorsed the review's direction of travel and the objectives behind it, but had been critical of its implementation.

There was lengthy discussion as to whether the requirement for budget savings was a factor in the review. Councillor Dempster, the previous Assistant City Mayor for Children, Young People and Schools commented that in her recollection, the review was about addressing the recommendations of the Munro Report rather than about making budgetary savings. A query was raised as to why, if the review was not driven by the budget, were so many social workers dismissed as Munro recommended that social workers should be allocated no more than 18-20 cases. The design of the review was based on a case load of 18 – 20 per social worker. Members heard that some of the less experienced social workers had a lighter workload than that recommended by Munro, although the more experienced social workers could and some did have a higher case load.

The Chair invited Mrs Gaynor Garner, Unison Social Care Convenor, to the table to contribute to the discussion. Mrs Garner disagreed with the response that Members had been given and stated that the business case that was set out for the review referred to the need to make financial savings of £2m. The Chair asked for the business case to be made available to Members. Both the City Mayor and Councillor Dempster said that the aim of the review was to implement the Munro recommendations rather than make budgetary savings.

Members also raised a series of other questions relating to the Ofsted report, which were responded to by senior officers, the City Mayor and Councillor

Dempster. (The responses are in italics). These included the following:

- Why there had been no programme board for the review, as there had been for the introduction of the Liquid Logic IT system?

The review would have followed the OR protocol and wouldn't have been conducted as a project. In future, the protocol should be changed so that much greater emphasis would be given to the implementation of reviews rather than just the case for change and the staff and Trade Union process. of the review, there would have been no programme board. The review was not considered to be a major project. That was one of the flaws that needed to be addressed as there was insufficient guidance for the implementation of the review.

Members expressed concerns that there had been no programme board and that a review which was expected to save about £2m was not considered to be a major project.

- Was a risk assessment relating to the changes that would arise as a result of the review carried out?

This issue would be checked and a response brought back to Members.

- Were the changes that were brought about as a result of the review, the reasons why a number of the social workers resigned?

It was acknowledged that some social workers may have struggled to adapt to the changes that were being implemented.

- Had there been political oversight of the review?

Councillor Dempster responded that she had political oversight of the review.

- Ofsted stated that there had been a lack of understanding of the new computer system (Liquid Logic). Was it a deliberate decision to implement both the review and the new computer system at the same time?

The changes were brought about in compliance with the Munro Report. With any change there was a risk as staff did not always like change. Training was offered to all staff who did not feel confident with the new computer system. Once the programme went live, it was realised that it was causing stress for staff and additional staff were brought in from Liquid Logic and extra training made available. There had been problems with the programme which came to light once it came into use. Currently there are still issues that needed to be resolved.

- In relation to staff training, was this mandatory and how many people

received the opportunity?

Officers agreed to check and forward that information onto Members.

- Are these problems experienced across the country or particular to Leicester?

Officers were unsure and were asked to find out and also to look into how Liquid Logic was being implemented elsewhere.

- Were any children at risk because of the number of unallocated cases?

Effective steps were taken to ensure the safety of any children who were referred to social services as being at risk of immediate harm.

- Several requests had been made for the review to be brought to the Children, Young People and Schools' Scrutiny Commission, but these requests had not been acceded to. In future, could there be some way of reporting on process and outcomes to scrutiny, as if that had happened, it might have been possible to avoid some of the problems.

The City Mayor responded that he considered scrutiny to be a critical friend to the Executive and where there were significant reviews of this sort, he would readily talk to the Chairs of the Scrutiny Commissions. There was much to be learned from what had happened,

- Were young people involved in the design of the review?

Young people were not involved in the review; it was based on the Munro report, which was a national report about best practice. There were no options. Ofsted did not disagree with that, but were critical of the way the review was implemented and that staff had resigned.

- We are told that 66 staff left; this would not be helpful to young people.

Yes, this situation would not have been helpful. In the best interests of the children and young people; there should be a stable workforce.

- Of the 66 social workers who left the authority; where did they come from, what were their qualifications and what was the nature of their role?

Members requested a written response to this question.

RESOLVED:

that it be agreed:

- 1) that members request information on the risk assessment carried out in relation to the review;

- 2) that Members request information as to how Liquid Logic was being implemented across other local authorities
- 3) that Members request information on whether training on the Liquid Logic was mandatory and how many people attended the training;
- 4) that Members request information on the background of the social workers who left the authority; what qualifications they had and where they had come from; and
- 5) that Members welcome the assurance from the City Mayor that Scrutiny would be involved in any future significant reviews.

Event 2: Implementation of the new structure

It was noted that the new structure and service model was implemented in April and May 2014.

Event 3: Problems emerge with the new structure

- When were the unions approached with complaints from the staff?

Staff started to resign as soon as the review started. At the beginning of the review there were sufficient social workers to meet the workload, but during the review, there was competitive assimilation to reduce their number. The union raised concerns with the Director of Social Care and Safeguarding relating to the levels of staff sickness, work related stress, the number of unallocated cases and the lack of admin support.

Members queried the business case for the review and the Chair asked that the document be made available to Members.

- Are social workers still leaving the authority?

The Unison Social Care Convenor stated that the situation appeared to be stabilising. At the time, grievances were brought to management's attention. Team managers submitted a grievance to the Director of Social Care and Safeguarding on 16 June 2014. A response was received the next day and the grievance was not pursued. Then later in June, social workers raised a grievance to the same Director and this went as a Stage 2 grievance to the Interim D.C.S as staff were dissatisfied with the Stage 1 response. Staff had been told that there was no right of appeal to the Stage 2 response. H.R. had not been involved in this. The City Mayor stated that he had not been aware of the grievances and the C.O.O. responded that he had not been aware of the specific grievance although he knew that the Interim D.C.S. had dealt with a meeting with a number of staff who were unhappy.

Members expressed concerns that the staff grievances were not raised in a management meeting and also that Members were not informed of the situation. Concerns were also expressed that there was no right of appeal to the Stage 2 grievance and Members requested that they should be informed in future if there was a collective grievance.

The City Mayor concurred and suggested that members may wish to make this one of their conclusions from the meeting.

- Is it standard to have a two stage grievance procedure dealt with by an officer in the same service area?

It was currently the standard procedure; however the C.O.O. indicated that after a recent meeting with Trade Unions, consideration was being given as to whether it would be better to have Stage 2 dealt with by a completely different service area as happens with the complaints procedure.

- Were there any 'red flags' in place, so that officers and elected members would know that the expected outcomes for children were not being achieved?

In terms of the quality of the review, auditing and checks would have been carried out, but there were no 'red flags' raised at corporate meetings. In fact the opposite was the case right up until September when positive reassurances were being given.

- The Munro Report recommended that there should be a Principal Social Worker. Was one appointed? If no one was in place; how did the authority compensate?

The post had been advertised twice, but no appointment had yet been made.

How did the new D.C.S. become aware of the issues that were arising in the department?

The D.C.S responded that she realised that there were issues soon after taking up her appointment, when there was a lack of data. There were a variety of problems including the number of staff leaving and the number of unallocated cases.

- The Strategic Risk Register for January 2015 included a risk relating to safeguarding of vulnerable groups, such as children, with a risk of a severe impact on staff morale. Was the C.O.O. aware of the wording of this item on the Risk Register?

The C.O.O. confirmed that he was aware of the register and this would need to be amended in the light of what was now known. The Strategic Risk Register was on the agenda for the meeting of the Audit and Risk Committee on 31 March 2015.

Members requested that the C.O.O. and the D.C.S. attend the above meeting of the Audit and Risk Committee.

RESOLVED:

that it be agreed that:

- 1) a copy of the business case relating to the review along with the supporting information be circulated to Members;
- 2) a Task Group be set up look at the business case in more detail;
- 3) for details of the recruitment of the Principal Social Worker and steps taken to compensate for an appointment not being made, be circulated to Members;
- 4) Members request that they be informed of collective grievances;
- 5) Members request that the Strategic Risk Register be reviewed;
- 6) Members request that the C.O.O. and the Strategic Director, Education and Children's Services attend the meeting of the Audit and Risk Committee on 31 March 2015; and
- 7) That Members request that the Grievance Procedure be reviewed.

The Chair called for a short adjournment at 7.32 pm and the meeting was re-convened at 7.44pm

Event 4

- Paragraph 64 of the Ofsted report stated that 25 cases were formally referred back to the local authority as having significant concerns in social work practice. Were these children at risk?

Those cases were referred back due to concerns regarding the quality of the practice. The quality of practice on those cases was not good enough and urgent action was taken on all those cases.

- Are you fairly certain that none of the 291 children and young people in the unallocated cases were at risk?

All of those unallocated cases have now been dealt with and there are mechanisms in place to manage this on a daily basis.

- When did the young people voice their concerns about the service and

how could they have done this?

There are a number of ways. The young people could have raised their concerns, for example through the Children in Care Council. Ofsted recognised in the report, all the activities taking place with the children and young people. This report will be discussed with the Children in Care Council.

- Members expressed concerns with the new D.C.S. when she was appointed, about the lack of performance data. What strategies are now in place to rectify this?

Key Information is now received on a daily basis through Liquid Logic and the processes for reporting are more robust. Assurances were given that there would be no similar issues of information not being made available.

- What monitoring data was reported and when?

Officers said they would check and forward the information to Members.

- Did the new D.C.S. discuss the situation of the unallocated cases with the Assistant City Mayor and the City Mayor?

The new Director had discussed the issue of unallocated cases, with the Assistant City Mayor.

In October, the new D.C.S. became aware that there were about 140 unallocated cases and action was taken and the situation started to improve. However, on 17 December, there were 291 unallocated cases and further action was taken. She had discussed the situation with the Assistant City Mayor and then the City Mayor was formally informed of the situation on 15 December. By the time Ofsted had arrived, the measures had had some impact and number of unallocated cases had reduced. The City Mayor added that prior to this, the previous interim director had reported on her handover to her successor that there were no unallocated cases.

- If the City Mayor was informed of the situation on 15 December, why was the previous Interim D.C.S. allowed to stay on in Adult Social Care and take charge of the budget process?

The Interim Director did not take charge of the budget process; however it would have been precipitous to have asked her to leave. The Ofsted Inspection was expected because it was overdue.

- When did the new Director raise her concerns with the C.O.O.?

The C.O.O. responded that these concerns had been raised with him in October, as soon as the new Director became aware of the emerging problems.

Members requested a timeline of the events detailing when senior officers and

members of the Executive were informed of the problems.

- Who was responsible for the failures outlined in the Ofsted Report?

The previous Interim Director was directly responsible for the service, and while there was some sharing of the responsibility, if one person had to be identified, it would be previous D.C.S.

- Would it have been better to have had a proper handover between the previous Interim Director and her successor as the Interim D.C.S. took leave for four weeks to give time for her successor to settle into the role?

There was a three week handover and after that the previous Interim Director left the organisation for a period of four weeks.

- If the problems became apparent in October, why did it take so long to dismiss the people responsible for the failures?

The extent of the problems was not immediately apparent and it was necessary to fully understand the situation. It was fortunate that Ofsted brought in nine inspectors who, during their inspection, identified the precise issues.

- At the time, the Assistant City Mayor for Children and Young People was also working with the Assistant City Mayor for Adult Social Care. Was this too big a workload? Now that the City Mayor had taken on the Children's portfolio and added it to his other responsibilities, would this not perpetuate the problems?

Councillor Dempster responded that she did not miss any meetings and was happy to work the extra hours. The City Mayor added that team work was important and he expected the Deputy and Assistant City Mayors to be supportive of each other.

- The Ofsted Report was clear that aspects of the service provided were inadequate. Was the Assistant City Mayor not aware of this at the time?

Councillor Dempster responded that they had been aware that the service was fragile and steps were taken to address this. In June, qualified social workers from other teams agreed to move into Children's Services and more staff were recruited. Also there were concerns about the working conditions at Grey Friars and work was currently being undertaken to find more suitable accommodation.

- Issues had been identified in the Ofsted Inspection in 2011, but had still not been actioned four years later.

The situation nationally is very difficult now and there is now a different inspection regime to that carried out in 2011. The service had been reconfigured and it would not be entirely unexpected to have a dip in the service, until things had settled again. The Ofsted Report was not good

enough, but the service was now improving.

- Did the C.O.O. suspect that the information he was given was not accurate and was he confident that the information he was now receiving was correct?

The C.O.O. responded that Ofsted might have been referring to his relationship with the Chair of the Safeguarding Board. Performance objectives had been set but they were relying too much on verbal reporting. Performance reporting was now improving; this needed to continue to improve throughout the service.

- There was an inference that the only area found to be inadequate was that affected by the poorly implemented review. However, that review could not be blamed for the worsening situation since the previous Ofsted rating in 2011. What steps were taken at the time as it appeared that no progress has been made since then?

There were numerous steps taken after 2011. An improvement process had been signed off in the autumn of 2012. The ratio of team managers to social workers was reduced; but the biggest change was responding to the Munro Report.

Members requested a copy of the Improvement Plan arising from the 2011 Ofsted Inspection.

- An observation was made that the Interim Strategic Director had sent an email referring to a report which she had previously submitted, which stated that if Ofsted carried out an inspection, they would find the service inadequate.

The C.O.O. responded that he had asked the previous Interim Strategic Director, when she arrived, to produce this report. She referred to the authority as not being 'Ofsted Ready' rather than inadequate, which had a different emphasis.

- Why was the over-spend, in respect of the cost of hiring agency staff in the Children in Need Service, not 'flagged up' in the regular finance reports?

This cost was identified in the Period 9 Monitoring Reports and were affordable within the budget. There were reserves that could be utilised.

- An assertion was made that the problems in Children and Young People's Services had not been identified by Audit and Risk, Human Resources or Finance. There had been three opportunities for the Corporate Centre to identify that there was a problem but they had failed to do so.

The City Mayor commented that this assertion was not well founded.

It was agreed that due to time constraints, the consideration of the Ofsted Report would continue at the next meeting of the Overview Select Committee on 26 March 2015.

The Chair requested that the Assistant City Mayor for Adult Social Care attend the meeting on 26 March.

RESOLVED:

that it be agreed that:

- 1) Members request details of the performance information that was collected; to whom it was given and how often;
- 2) Members request a timeline giving details of when senior officers and Members of the Executive were informed that there was a problem;
- 3) Members request a copy of the 2011 Post Ofsted Improvement Plan.

96. SENIOR MANAGEMENT IN ADULT SOCIAL CARE

This item was deferred to the next meeting of the Overview Select Committee scheduled for 26 March 2015.

97. ANY OTHER URGENT BUSINESS

The Chair requested that as the consideration of the Ofsted Report into the Inspection of services for children in need of help and protection, children looked after and care leavers and the Review of the effectiveness of the local safeguarding children board, would continue at the next meeting of the Overview Select Committee on 26 March, the Executive Decisions on the Welfare Advice Services Review and Corporate Resources and Spending Review Programme, which were on the agenda for 26 March 2015 be suspended until the new municipal year.

The City Mayor responded that the reviews would not be suspended as sound reasons for doing so had not been received.

The Chair announced that both reviews would therefore remain on the agenda for 26 March 2015.

98. CLOSE OF MEETING

The meeting closed at 8.57 pm.