

Kate Josephs
Chief Executive
Sheffield City Council
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**Agenda Item 10
(Supplement)**

Dear Kate

SHEFFIELD CITY INDEPENDENT REVIEW OF CHILDREN'S SERVICES 2023

I am writing with the findings from the recent independent review in children's services. I am grateful that I received a positive welcome and good engagement and support throughout the process. I was impressed by the transparency and the commitment to improving the quality of life and life chances of children in Sheffield of those I interviewed, and I welcomed the good organisation that supported my time and allowed my work to proceed smoothly.

Background to the review

The City of Sheffield has recently established a committee system of governance following a referendum. It has also taken the operation of its youth services into the council and has been successful in applying for funding from the Department for Education (DFE) for Family Hubs to support its families. The council is very ambitious for good outcomes for children and has recently been inspected by Ofsted in the form of an integrated local children's social care inspection (ILACS).

The commission for this independent review was to look at how Sheffield City Council ensures assurance for delivery of statutory duties for the DCS that sit outside the direct line management of the DCS. Normally, such a test of assurance would be done when the work of a designated Director of Children's Services (DCS, as defined in the Children Act 2004) is either to be expanded or in line management terms is differently placed. In this case, the Youth Service and Family Hubs sit under a different directorate. There is also the operation of a committee system for council governance which is relatively unusual, but not exclusive to Sheffield.

The review specifically asked, 'what are the recommendations of the review that will ensure oversight and assurance for the work of Family Hubs and Youth Work that sits in Neighbourhood Services, including missing from home or school return home interviews and Not in Education or Employment (NEET) contacts.'

The reviewer was asked to comment on different models of delivery in place in other local authorities. In this case it was also necessary to consider that it would be more usual for the strong Leader and Cabinet system used in other councils to be in place. Alongside the committee system, the council is required by statute to have a designated lead member for children's services. Pre-reading was done by reviewing copies of the agendas and minutes for recent council committees and boards.

Some nationally available statistical data was briefly reviewed, but the differences in line management and governance was not shown to have a causal impact on performance and no direct impact of structure on performance was found.

The scope included interviews with colleagues as follows, Ajman Ali, Executive Director of Operational Services, Cllr Dawn Dale, Lead Member for Children's Services, Andrew Jones, Director of Education and Skills, Kate Josephs, Chief Executive Officer, Chelsea Renehan, Head of Service for Youth Services, Meredith Dixon-Teasdale, Strategic Director of Children's Services, Zania Stevens, Head of Service for Family Hubs, Mark Storf, Head of Service for Safeguarding (with YOS responsibility), Cllr Richard Williams, Chair of Communities, Parks and Leisure Committee, Sally Williams, Director of Children and Families and Lorraine Wood, Head of Communities.

Legislative, policy and accountability background to the review.

The Children Act 2004, requires every upper tier authority to appoint a Director of Children's services and designate a Lead Member for Children's Services for the purposes of discharging the education and social services functions for children in the local authority. This is supported by statutory guidance on those roles and responsibilities. The intent of the legislation was to designate those occupying these specified roles as system leaders in their officer and member roles specifically for the advocacy for and safeguarding of children across all areas of the council. The expectation was that they would also extend an influence across the council's partnerships.

At the time of consulting on the legislation, the government noted that the relevant post holders would not directly manage all functions nor be responsible for all operational decisions, for example they would not manage housing for children. It was expected that the relevant postholders would be placed in relevant decision-making forums, where possible, to influence outcomes, for example, the Lead Member and Director of Children's Services each have a statutory place on the Health and Well Being Board.

This legislation works alongside existing partnership guidance on Working Together to Safeguard Children, (WTTSC DFE 2018). It is worth noting that the DFE is currently consulting on a revision of this guidance with a view to a revised publication. They are currently planning an annual revision of this guidance in line with an annual review of the parallel statutory guidance Keeping Children Safe in Education, (KSEI). It is important to keep current guidance under review, and the possibility of the DFE revising the statutory guidance on DCS and Lead Member roles has also been mooted, so such guidance is rarely static. To date no guidance has prescribed how a council should organise its functions. Indeed, it is possible for a council to contract all its children's services functions out to a voluntary trust providing it retains the roles of DCS and Lead member for accountability purposes. There are no decisions that a member should make individually that are prescribed and all decisions can fit into existing governance structures including a committee structure.

The Children Act 2004 came after the Local Government Act 2000, which empowered local councils to conduct a referendum to change to a different form of governance. The specification in the guidance for the roles of DCS and lead member is therefore expected to work alongside the operation of the committee structure. Occasionally, some of the DFE guidance will mention a function or an overview that should be undertaken by a social worker or teacher for example, and that should be respected;

but that does not mean that all such functions should be led by the aligned qualified professional if there is information exchange and an opportunity for specialists to reach into the understanding of the issues and then influence events or decisions. An example of this is that a council should have a principal children's social worker who is a qualified social worker, but there is no such specification for a DCS, who can come from any background.

The Ofsted ILACS framework, against which the council has recently been inspected, takes account of leadership and management but will not normally comment on the operation of the council structure, provided the expected outcomes are met.

Review outcomes

The outcomes of the review are set out below in a commentary under a series of short sub-headings. Recommendations are then made for the council to consider. It is important to note that such a short review can only 'hold an experienced mirror' to the service and make some recommendations. It is for the members of the council and its head of paid service, on the advice of its professional officers, to determine the way forward and its compliance.

Governance and accountability.

The decision to have a committee system and the implementation of the committee system was part of a council-wide programme of change that was designed to achieve the ambitions of the council to improve outcomes and the way it engages with residents. There is also a need, as is the case in local government across the country, to achieve more for children and families given the social and financial challenges of previous years. The new committee structure was designed and implemented with some considerable thought and according to the rules of the referendum will be in place for some years hence. The commitment of officers and members to making this work was impressive.

One of the aims of the new committee system is to engage more members of the council in decision making processes. On the evidence of interview this ambition has been taken very seriously. Both officers and members are aware of the need to engage all members of the committee in the work and to ensure members are briefed to understand the papers and make the right decisions. Whilst committees are largely aligned alongside directorates, there is an understanding of the need for some committee papers to be considered by more than one committee. There is an overarching committee that is set up to be the place where final decisions are made that relate to decisions that span across other committees. Local area committee arrangements are used to keep members close to their communities and a modest financial delegation allows them to make an immediate difference in their communities, including for children and young people.

There was no evidence seen that any of these committees were making decisions that impacted on the 'line of sight' of decision making required in the statutory guidance. This all appeared to be compliant. There were some issues of timing raised that arise

out of the use of the committee system. From time to time a paper would have to go to more than one committee and in which cases timing and sequencing could be challenging. It was necessary to sequence the meetings and could increase the need for more officer time working against a deadline, say, for bidding to the DFE.

Government departments such as the DFE may require issues to be decided quickly and signed off by the Chief Executive, DCS and Lead Member which is not entirely commensurate with the design of the committee system. In the case of the bid for Family Hubs this seems to have been well managed; although there remains a question about timing if future bids were needed by government more immediately, as the committee cycle runs to number of weeks. The DFE is pursuing a regional agenda in some areas of policy and how decisions are made if the council joins with other councils in one of these initiatives may need to be reviewed.

Recommendation:

It may be helpful to consider a streamlined process for bids or for decisions about joining pilot schemes or bidding to government departments should this be needed.

The statutory guidance for lead members does not recommend one form of governance or another as this is not in its purview, but a main difference in Sheffield would appear to be that the committees are both decision making and perform the function to call the officers to account. In the more usual cabinet and scrutiny system the lead member would also expect to be held account via the scrutiny function. In Sheffield, the lead member chairs the corporate parenting panel, which is helpful in terms of commitment and focus, yet in some councils would be chaired by a member other than the lead member for accountability. This is entirely a matter for the council and may be worth keeping under review year on year. Whilst the committee reports are very clear on the decision-making powers and both members and officers felt that they were working well, it might be helpful to consistently and clearly show when performance accountability is also happening. This can be reflected in the decision to be made. On the evidence of interview, an issue of concern seems to be that the lead member is not present in the relevant committee when decisions about neighbourhood issues and in particular the youth service and family hubs are made, but the chairing members of the two committees were discussing having liaison meetings to discuss reports that are coming up, which would be helpful.

It may be that consideration could be given to including additional members in the Local Government Association (LGA) training for lead members and scrutiny chairs. This training is good on developing the concept of 'system thinking' and the need for the lead member to influence partners. Alternatively, a session thinking about how the committee structure fits into system roles could be delivered by the LGA or others and be bespoke for Sheffield. The LGA training does focus on the Cabinet system as a default governance and there are differences within the committee system that could be separately considered.

Recommendation:

Future reviews of the committee system could reflect on how the committee methodology influences partnerships to support children.

Elected member roles in the community.

On safeguarding, an issue that may need considering is the understanding of local members about their role. On the evidence of both officers and members there would appear to be a possible confusion about referrals of children and families to the 'front door' of the council and there may be a risk that details are sent to senior officers whose email boxes are not designed for triage, recording, assessment, and review. Clear communications about referral routes could be made available to members, (some councils do this on a handy postcard). Also, members do not appear to have been screened for disclosure and barring.

Recommendation:

Clear communications about referral routes could be made available to members. A review of the requirement for elected members to have Disclosure of DBS (Disclosure and Barring Service) checks would be helpful.

Summary on governance issues.

A test of governance assurance would normally check if the council governance processes were meeting statutory duties effectively, including that children, young people, and families receive effective help and benefit from high educational standards locally. The test would also check that the council is transparent about accountabilities and responsibilities and how it supports effective interagency and partnership working. **On the evidence of interviews, the present arrangements support this test.**

Professional Leadership and Management and statutory duties.

The council has two executive level Directors closely involved in the delivery of services to children and young people. That is the strategic Director of Children's services and the Executive Director of Operational Services. The division of duties represents the usual division of work in a council, except the placing of the youth services and family hubs outside children's services, although this placing is by no means exceptional. In other comparable councils their education services are sometimes managed separately. Whilst there is no legal requirement about structures, a 'line of sight' on protective and statutory social care functions is required. Put simply, this means that the DCS should be able to assure themselves that in the case of their statutory duties they can obtain information and influence the issues they need to, so that they can fulfil their role in keeping children safe.

The review was asked to comment on a few specific areas, and these are addressed below.

Missing interviews where young people have been notified as missing from home or school.

The importance of offering and delivering an interview to young people who have been reported as missing from home or school has gained increasing importance over recent years. The strategic information that can be gleaned from these interviews in both improving the response to young people and gaining information to provide decisions about the structure of community resources is invaluable.

There is evidence that colleagues in social care can access the data and review this as needed and in the case of children who are being assessed and supported within the statutory structures that the information can be aligned with decision making.

Interviewees were clear that the DCS and individual social workers can make decisions informed by that evidence. The DCS has confirmed that she has a line of sight, in which case direct line management in the absolute sense of hierarchy is not required. On performance, which is not the focus of this review, it may be that checking with statistic neighbours how they record offers of interviews to check that Sheffield is recording comparable information, may be helpful. Some councils will count a text exchange with the young person as an offer, for example, others will not. Sheffield appeared to have increasingly good practice on recording data and others (outside this review) will comment on the depth of the information and if it is sufficient, and if the numbers of interviews are currently sufficient.

On the evidence of interview, there were no immediate examples given of actions taken in the community following these missing interviews, although there appeared to be a good discussion ongoing about the possibility of stronger links with the staff conducting interviews and the children's homes. An often-given example of such a community response is where the Rotherham exploitation review showed that young people were going to a particular fast-food outlet and if this aggregated data had been acted on there would have been better results. It would also be helpful to build on current discussions that are happening to make closer links between staff conducting missing interviews and children's homes, and to develop a stronger expectation for a response to inform contextual safeguarding practice.

Recommendation:

The line-of-sight test on duties is met and therefore the scope of the review is met. This assurance is providing that social workers continue to have access to information on the interviews and can add their views, and that the DCS voice is heard.

Children and young people not in education or training.

On children and young people not in education or training, (NEETs) the expectation is simple in operational terms i.e., the need to ensure that those individuals identified are encouraged back to school or training, but it is more complex in governance terms. On the officer side, this work would traditionally fall between the work of education specialists regarding school attendance, and employability specialists skilled in skills planning and regeneration. In the case of those children who are care experienced this would also be under the supervision of their personal advisers and supported by members and officers under the umbrella of the corporate parenting board.

In many councils with a cabinet system this will fall under two if not three cabinet members and in the case of the Sheffield committee system this could similarly be considered by several committees. In all councils it would be expected that the children's services staff who are supporting young people individually would reach across to schools and employment and skills specialists in other teams of the council and its partners, and this appears to be happening in Sheffield. This function can be undertaken at officer level in any chosen structure with DCS awareness, and statutory duties would be met. On reporting to elected members, how this is done is up to the council, with the lead member able to be advised of the oversight. The only expectation would be that in the case of care experienced young people there is a need for corporate parenting board to have a particular interest, which on the evidence of interview, is the case.

Recommendation:

Statutory duties are met, although this area is always a challenging area to coordinate. A review at some time in the future to see if there could be more consolidation of work and data collection might be helpful.

Youth Services and Family Hubs.

The operation of family hubs and youth services is in the operations i.e., neighbourhood and community area of the council under a separate executive director, that is not the strategic director of children's services. In the case of both the youth services and family hubs the strategy is laid out and agreed. In the case of youth services, the council has agreed the strategy until 2007. On the family hubs the arrangements are subject to grant funding from the DFE, and it is positive for Sheffield that it has been selected by the DFE to embed this initiative.

In both services there has been much work done to embed the thinking and planning in partnership with other organisations. Whilst other agencies such as the police have not been included in this review, it is evident that joint planning has taken place. In the case of the family hubs this initiative has been visited by Dame Andrea Leadsome who has been asked by the government to lead on this policy area. Interviewees reported back that whilst on this visit the fact that the family hubs were not located in children's services initially caused some surprise, the placing in the community area of the council was of positive interest.

In terms of the statutory duties, on the one hand it is more efficient and effective to have youth services and family hubs in the same directorate as children's services for operational reasons such as communications and oversight, on the other hand the opportunities to link with community services and planning for individual responses to the community is valuable, and the services offered to mainstream families in the community are not competing for time and budget priority with higher profile or risk statutory social care and education policies.

Both the youth services and family hubs (youth services being known in Sheffield as services to young residents) could add considerable value if placed in children's services, for example with the link with edge of care services and with residential services. Likewise, maintaining the link with community planning could serve some elements of community cohesion and contextual safeguarding better, as it is located with a greater alignment with community safety officers and local area committees.

Wherever they are placed, the statutory requirements would be met, provided, as with other areas reviewed above, there is access to the information for social workers if young people are already in the statutory system or are in need to be assessed. Also, as in other areas, the DCS and lead member should have their voice heard and any concerns addressed. The separate statutory duty to provide youth services to all young people could be met several ways within the current framework.

In Sheffield, as the youth service has recently been moved under council control by what on the evidence of interview, was a lengthy and formal human resources process, it could appear to be counterproductive to move the service again for structural reasons only, given that the need for the DCS to be able to reach across and influence the offer appears to be met. On governance, in several councils these functions are politically supported by an elected member who is not the lead member

for children as designated in regulation, although that lead member should also expect their voice to be heard if needed.

There are instances where a review such as this might recommend that the placing of these services outside children's services should be addressed, and it may suggest that they are moved. These could be where the practice model of social care changes, and there is a wish to integrate services in a much more targeted way, for example in the Family Safeguarding model. This model is where the idea is to hold children's cases in teams who are experienced in supporting children and young people and those staff work alongside adult workers. In that case the pros and cons of placing the services outside the directorate could reasonably be reviewed. Likewise, should budgetary pressures be so restraining that a council can only focus on providing the minimum statutory services, then management overheads can sometime be reduced if services are aligned. These reasons and many others that might arise out of policy development in the future may be a good reason to review the placing of these services in Sheffield in the short- or long-term future, but currently there does not appear to be a compelling or compliance reason why this should be the case. In the committees, the reach across between the two council relevant committees could be resolved by liaison as mentioned in the governance section above.

Recommendation:

The statutory duty test is met, provided the reach across to and from the DCS is met and the lead member voice can be heard in the case of any concerns.

Edwina Grant OBE