

Report into children's services in the London Borough of Bromley

**Report for the Secretary of State for
Education by Frankie Sulke,
Commissioner for Children's Services
in the London Borough of Bromley**

September 2016

Contents

Introduction	3
Background and context	4
Approach and process of the Review	8
Findings – reasons behind the failure and barriers to improvement	9
Leadership and management	10
Understanding of strengths and weaknesses in the service	12
Communication, engagement and resourcing	14
Partnership working	17
Practice and support for the front-line	18
Action required and being taken to remove barriers to make rapid and sustained improvements for children in Bromley	18
Leadership and management	20
Appointment of a DCS and the support to ensure effectiveness	20
Appointment of a DCS and the support to ensure effectiveness - Action by the Council	21
Securing effective action to improve practice and outcomes, and the capacity and capability to deliver	24
Securing effective action to improve practice and outcomes, and the capacity and capability to deliver - Action by the Council	24
Resources	27
Resources – Action by the Council	28
Understanding strengths and weaknesses	29
Understanding strengths and weaknesses – Action by the Council	29
Communication and engagement, including partnership working	31
Communication and engagement, including partnership working – Action by the Council	32
Conclusions and recommendations	36
Recommendations	39

Introduction

1. Bromley's services for children were inspected by Ofsted in April and May 2016. They were found to be inadequate across all reported categories and the inspection raised serious questions surrounding practice and leadership. The Bromley Safeguarding Children Board (BSCB) was found by Ofsted at the same time to require improvement. I was appointed Commissioner for Children's Services in the London Borough of Bromley in June 2016 by the Secretary of State. The terms of reference required me to:
 - 1.1.1 make recommendations for the immediate improvement of children's social care and to recommend any additional support required to deliver improvement;
 - 1.1.2 review the Council's leadership and management capacity and capability to drive forward the changes necessary to achieve the required standard;
 - 1.1.3 make a recommendation to the Secretary of State as to whether alternative delivery arrangements are the most effective way of securing and sustaining improvement, and if so, to recommend the form those alternative delivery arrangements should take.

An accompanying Direction was issued to the London Borough of Bromley instructing their cooperation with the review. The Direction can be found at <https://www.gov.uk/government/publications/direction-to-bromley-borough-council>.

1.2 This report follows my review and sets out:

- 1.2.1 some brief **background and context**, including the inspection history of the borough;
 - 1.2.2 the **approach and processes** adopted for the review;
 - 1.2.3 the **findings of the review** relating to the causes behind the failure and the barriers to sustained improvement;
 - 1.2.4 in the light of those findings, the **action required to remove barriers** to make rapid and sustained improvements for children in Bromley, the **action being taken by the Council**, and any **further action required**;
 - 1.2.5 **conclusions and recommendations**.
- 1.3 The report does not seek to reprise the detail of the Ofsted inspection. The reports are available at <https://reports.ofsted.gov.uk/local-authorities/bromley>. Nor does it seek to detail every aspect of practice, structure and context in Bromley. The Ofsted report includes contextual information on the general, children in need and looked after populations in the borough. The extensive Improvement Plan which Bromley and its partners have produced and submitted to Ofsted will be available on Bromley's website. My report covers

those areas which are significant in addressing the requirements of the terms of reference above, particularly in relation to the future governance and delivery of children's services in Bromley.

- 1.4 Inevitably, a three-month review of this nature and breadth of scope is an imposition on a Local Authority and its partners during a period of great pressure for all involved. I have been welcomed and supported extremely well in my task by everyone in Bromley, including staff and their managers, senior managers, the Leader, members and partners. Their openness and willingness to engage has ensured that the review was able quickly to get to the heart of some very difficult issues and allowed me to take an honest and transparent approach throughout. I am very grateful to all colleagues in Bromley and my particular thanks go to Gill Drury for the excellent logistical support provided during the course of the review period.

Background and context

2. As indicated above, the Ofsted inspection in April/May 2016, found services to be inadequate across all reporting categories, including children who need help and protection; children looked after and achieving permanence; adoption; experience and progress of care leavers; and leadership, management and governance.
 - 2.1 While some areas of good practice were identified, including the Multi-Agency Safeguarding Hub and early intervention approaches, there is no doubt that there was systemic failure in Bromley's services and that vulnerable children were disadvantaged and put at risk because of that failure. On examination of the Ofsted reports, it is clear that the vast majority of issues identified by inspectors were due to poor or absent leadership, including: lack of understanding of strengths and weaknesses by leaders and managers; poor oversight; inconsistencies in practice; high caseloads; lack of urgency in progressing plans; significant delays in decision making; poor quality of plans; poor risk assessment; and lack of effective performance management.
 - 2.2 The history of senior leadership in children's services in Bromley is relevant to the position reached in April 2016. Following the departure of a Director of Children's Services (DCS) who had served from January 2007 to April 2012, the decision was made to bring together all education, care and health services for children and adults under a new Directorate with a new Executive Director post. Following a five-month period where the Chief Executive oversaw the Directorate, this role was appointed to in October 2012 and carried the statutory duties of the DCS as well as covering the responsibilities of the Director of Adult Social Services (DASS). The Executive Director of Education, Care and Health left Bromley in May 2015.

- 2.3 At this point, the decision was made not to reappoint to the role of Executive Director for Education, Care and Health and to adopt a flatter management structure, giving general oversight and responsibility of the Education, Care and Health Directorate to the Chief Executive. The three existing Assistant Directors for Children's Social Care, Education and Adults Services were expected to lead their areas and the statutory responsibilities of DCS were allocated to the Assistant Director (AD) for Children's Social Care. The Assistant Director's title was amended to Director of Children's Services in October 2015. The role of AD was not backfilled and, although some of the DCS responsibilities were intended to be carried out by the Director of Education, the Director of Children's Services was required, under the oversight of the Chief Executive, effectively to operate as both DCS and as AD for Children's Social Care. The intention was to keep these arrangements under review. It is clear that this move significantly weakened leadership capacity in children's social care services in Bromley.
- 2.4 Bromley's history of inspections relating to children and young people over the last seven years, until 2015, shows a pattern of achieving satisfactory or better results as illustrated in Table 1 overleaf. Some common themes are evident, for example in relation to the need for more robust performance management, but the difference in inspection frameworks and methodologies is such that comparisons and conclusions are hard to draw.
- 2.5 Following the failure of the inspection of the Youth Offending Service in May 2015, an informal case audit conducted by the Youth Justice Board (YJB) in March 2016 shows signs of improvement but with further improvements still required, including in relation to management oversight and case planning. In response to this, further action was recently taken to reallocate responsibilities within the Council with the intention of strengthening leadership in this area. In addition, a new Head of the Youth Offending Service has recently been appointed.
- 2.6 The review of the Bromley Safeguarding Children Board (BSCB) by Ofsted in April/May 2016 resulted in a judgement of 'requires improvement'. The report recognises the role of the Chair and members in improving the Board's focus and organisation. The report reiterates the concerns of the main inspection report around critical areas including, for example, the lack of information and data on child sexual exploitation (CSE) and the need for more overview of risk assessment.
- 2.7 Bromley's governance and partnership structures at the time of the inspection are also relevant. Three portfolio holders have responsibility for aspects of children's service:
- 2.7.1** a portfolio holder for Care Services covers all aspects of social care and health across adults and children;

- 2.7.2** a portfolio holder for Education covers all education matters and the youth offending service;
- 2.7.3** a portfolio holder for Public Protection and Safety covers community safety issues.

Table 1: London Borough of Bromley Inspection History

Inspection	Date	Outcome and comments
Unannounced inspection of contact, referral and assessment	2009	No priority areas for action; decision making and assessment practice praised; areas for development included using performance management
Annual Performance Assessment	2009	Performs well
Adoption	2009	'Good'
Safeguarding and Looked After Children	2010	'Adequate' across almost all judgements, with 'good' for user engagement and children feeling safe; initiatives to improve recruitment praised; areas for development include caseloads too high and some issues on quality of assessments
Annual Performance Assessment	2010	Performs well
Unannounced inspection of contact, referral and assessment	2011	No priority areas for action; Leadership and recruitment praised; areas for development included early intervention and strategy discussions
Fostering	2011	'Good'
Annual Performance Assessment	2011	Performs well
Youth Offending Service	March 2012	Performs well
Child Protection	August 2012	'Adequate' with improvements and leadership praised; areas for development included the need for more robust plans and more sophisticated use of performance management information
Youth Offending Service	May 2015	'Unsatisfactory'
Single Inspection Framework	June 2016	'Inadequate' across all areas; LSCB – requires improvement

- 2.8** Recognising the importance of having an oversight across the spectrum of children's services, the Leader is the designated Lead Member for children and young people. The Leader, portfolio holders and corresponding Chairs of

the Select and Policy Development and Scrutiny (PDS) Committees meet in a formal 'Children's Board' nine times a year.

- 2.9 In terms of partnership structures, there is a Safer Bromley Partnership and a Health and Wellbeing Board. There is no formal partnership governance structure for children and young people in the borough and a decision was also made not to have a Children and Young People's Plan once the requirement to have one was removed. A general Borough Officers Forum comprising senior Council and partner managers meets monthly.
- 2.10 After the inspection, the Leader established and currently chairs a Children's Services Improvement Governance Board initially comprising senior officers, the Chair of the BSCB, portfolio holders and PDS Chairs. The remit of the Board is to oversee rapid improvement across children's services, including to develop and then monitor the implementation of the post-inspection Improvement Plan. On advice, the membership of the Board has been strengthened to include senior colleagues from partner organisations, including the Police, the CCG and schools. An independent, experienced DCS was brought onto the Board, particularly to advise and support on developing the post-inspection Improvement Plan. The Board initially met weekly and then fortnightly as work progressed. The Board is supported by an Officers' Improvement Group also with representation from across the Council and partner agencies. The stated intention from the outset of the formation of the Improvement Governance Board was for it to be independently chaired to ensure robust challenge. My own presence at Board meetings and the work of the independent DCS has secured strong external challenge in this initial post-inspection period. A decision was therefore made that the Board should be independently chaired once the post-inspection Improvement Plan is approved and sent to Ofsted at the end of September 2016. The new Chair would then oversee the monitoring of improvement as the plan is implemented, including to ensure rapid impact on children. The Leader would remain a member of the Board along with the relevant Cabinet and PDS/Select Committee colleagues.
- 2.11 At the end of 2015, the Chief Executive recast his top team meetings to comprise a larger Corporate Leadership Team with 14 senior managers from across the Council.
- 2.12 Bromley's staffing structure in children's social care still retains four tiers of management, creating large spans of control for the Heads of Service reporting to the DCS/AD.

Approach and process of the Review

3. In order to meet the requirements of the Terms of Reference in 1.1 above, I divided the Review into three phases:

3.1 *Phase 1: an intensive period to understand the borough in depth.* This included meeting with: front line staff and their managers across children's social care services; senior managers from across the Council as well as in Children's Services; elected members, including children's and other portfolio holders and Chairs of PDS Committees; and senior managers across the Partnership, including senior colleagues from the CCG, police, schools and the voluntary sector. In addition, as part of Phase 1, I attended a range of existing forums and meetings, including the BSCB, and throughout the review, I met with staff on the floor as they worked on cases.

The purpose of this Phase was to understand clearly:

- the reasons behind the failures in children's services – ie. why the recommendations made by Ofsted had become necessary;
- the barriers to rapid and sustained improvement for Bromley's children; and then to consider:
- how those barriers might best be removed, at pace;
- the Council's corporate and governance capacity and capability to deliver the necessary change immediately and sustain that improvement over time.

Understanding these four factors in depth was critical to the terms of reference of the review which required me to consider whether alternative governance delivery arrangements are necessary to bring about the necessary improvement in Bromley.

3.2 *Phase 2: feedback and consideration of ways forward to remove barriers to improvement.* This phase involved feeding back my findings and possible ways forward in various forums to key colleagues. This involved meetings with the Leader and Chief Executive; the Corporate Leadership Team (CLT); and key senior partners. Receiving their reactions and views on the sometimes very difficult evidence I presented, helped to bring forward further evidence in relation to the recommendations made in this report.

3.3 *Phase 3: report writing and further feedback.*

3.4 In addition to the work set out above, I joined the Chief Executive and the DCS/AD at a series of staff briefings. At these briefings, the Chief Executive and DCS/AD fed back to staff on the inspection findings and on what the Council was doing to support them to improve practice. I shared with staff the terms of reference for the review, including the presumption of withdrawal of

services, and set out some principles for the review. I committed to:

- being independent of both Bromley and the DfE, within the terms of the review;
- being transparent, with ongoing feedback to ensure no surprises;
- not repeating the inspection, the findings of which are clear;
- listening and taking account of all views and insights from front-line staff, managers and others, and across the partnership;
- supporting and fuelling their improvement, including that which is already underway – the review must be part of ensuring Bromley children’s outcomes improve, not get in the way of that or cause any pause in action;
- minimising the burden of the review by using existing forums to listen and learn as much as possible;
- there being no pre-determined outcome even though there is a clear, stated presumption.

3.5 As part of my commitment to support Bromley’s improvement through the review, I also attended meetings of the Children’s Services Improvement Governance Board, supporting it to be robust; ensure rigorous follow-up of agreed actions; and take a strong partnership approach to improvement. As set out in Section 5, the key to Bromley’s improvement was securing the services of an outstanding DCS. I therefore supported and advised the Leader and Chief Executive in identifying strong candidates and continued to advise during the appointment process. In order to ensure the promised transparency, I met regularly with the Leader and Chief Executive to keep them in touch with the review’s progress.

3.6 In line with the terms of reference for the review and the Direction to Bromley, I made recommendations for action throughout the period of the review which were designed to support and steer the improvement efforts already underway.

Findings – reasons behind the failure and barriers to improvement

4. As indicated above, my initial purpose was to understand both the reasons behind why the recommendations made by Ofsted had become necessary and the barriers to rapid and sustained improvement for Bromley’s children. Understanding these aspects would then allow an informed evaluation of how best those barriers might be removed.

4.1 I found many **strengths** in Bromley, including:

4.1.1 determined and willing managers and front line staff and equally determined senior managers and leaders, including members, to put

right what had gone wrong;

- 4.1.2 genuine ownership and acceptance of the problems uncovered by the inspectors from senior corporate managers and leaders, including both officers and members;
 - 4.1.3 particular recognition of the error of reducing leadership capacity in children's services by not backfilling the AD children's social care role when the post-holder was made the interim DCS;
 - 4.1.4 even before my appointment as Commissioner, a clear and proactive response to the inspection, including in finding more resource immediately to improve caseloads, establish a Court team, increase front-line and manager capacity, address some key capability issues, and try to find a suitable new interim DCS for immediate appointment;
 - 4.1.5 an open and honest Improvement Governance Board, determined to put history aside and work together to improve outcomes for children;
 - 4.1.6 a positive and responsive approach towards taking on suggested recommendations for improvement.
- 4.2 In relation to the ***underlying reasons for the failure*** in children's services and the ***barriers to improvement*** in the borough, I found a range of issues, particularly in relation to:
- 4.2.1 a lack of effective leadership and management at all levels (*paragraph 4.3*);
 - 4.2.2 poor understanding of services and their strengths and weaknesses and a lack of systems to secure that understanding (*paragraphs 4.4 to 4.9*);
 - 4.2.3 poor communication and engagement between the corporate and governance level and service level, including in relation to resourcing issues (*paragraphs 4.10 to 4.22*);
 - 4.2.4 lack of effective partnership working (*paragraphs 4.23 to 4.27*);
 - 4.2.5 additional shortcomings in support and systems to secure good front-line practice (*paragraphs 4.28 to 4.29*).

Leadership and management

- 4.3 As already indicated, it was clear that the failures identified in the inspection were predominantly due to a lack of effective leadership at all levels. Predominantly, the reduced leadership capacity and capability in having a combined DCS/AD role was the significant factor leading to poor practice and a lack of rigour and support for managers and front line workers in children's social care. During the review, it became evident that lack of leadership

manifested itself in a range of other ways across the Council, as well as in children's services, which resulted in the inadequate practice seen by Ofsted and presented clear barriers to improvement:

4.3.1 *Silo working* was evident throughout the Council. While lack of 'join up' is often seen in large organisations, the silos found in Bromley were at a practice as well as corporate level. Safeguarding teams operated with different approaches and definitions. Across children's social care divisions (e.g. between safeguarding and looked after children) there was often a lack of understanding, protocols and communication, with real and negative consequences for children, particularly in relation to case transfer. This led to a systemic lack of child-focused practice where decisions were not focusing on children's needs or interests.

The silo working also resulted in an inward-facing culture. Few in children's services knew where they might go to learn from best practice either in London or further afield or even within the Council itself. The requirement to stay abreast of effective approaches elsewhere was not evident in the overall management culture of the Council. There was, however, clear evidence that some managers outside children's services did take the individual initiative to use best practice networks and devices such as peer reviews, including in adults' services and community safety.

4.3.2 *Inconsistent practice* was evident throughout children's services. Some individuals were doing great work for children but this was usually despite the organisation rather than because of it. Again, because of a lack of a collegiate or sharing culture, this good practice was rarely promulgated to ensure consistent good work for children.

4.3.3 *A clear vision for children* and a moral purpose was not evident and many staff commented on their concern that this was missing from governance, corporate and children's services narratives. In addition, there was a strong perception that members lacked a comprehensive understanding of their corporate parenting responsibilities and this exacerbated concerns.

4.3.4 While staff work extremely hard, the lack of leadership has led to a **lack of proactivity** among staff and a general malaise where, because issues are not followed up or problems addressed, staff lose faith and assume action will not be taken to address concerns. This is particularly concerning in relation to the urgent need to streamline practices and processes to allow staff to spend more time working with children. It is also concerning, as indicated below, in relation to ensuring that issues relating to poor practice and capability are swiftly

addressed.

The malaise and lack of proactive working also extended to a general lack of healthy professional challenge across the service, discouraging escalation and critical oversight and adding to the problems of drift and delay found in the inspection.

4.3.5 A heavily ***process-driven culture*** was evident throughout the Council which added to frustrations and perceptions that it was hard to 'get things done' or to resolve problems quickly.

4.3.6 The lack of effective leadership has led to particular shortcomings in dealing decisively and effectively with both ***capability and capacity*** issues. While most staff and managers are capable of doing an excellent job for children, particularly if given the right leadership, many staff and others were concerned that capability issues at every level were allowed to persist. The fact that capacity issues, such as caseloads, were also not addressed was a key cause of the failures identified.

4.3.7 In addition to the issue highlighted by Ofsted of caseloads being dangerously high, ***management spans*** were also too large in some areas, particularly in relation to the Head of Service covering both the safeguarding and referral and assessment services.

Understanding of strengths and weaknesses in the service

4.4 Almost universally, colleagues in Bromley were surprised by the outcome of the inspection. Even within children's services, senior managers were not expecting the outcome received. This is clearly of particular concern. While data is collected and readily available in Bromley, there is little capacity or capability for it to be analysed at corporate levels. At Directorate level, analysis of quality and performance was also weak and information was not used by front line staff and their managers. As they were not aware of the extent of the problem, senior managers within children's services did not raise serious concerns themselves to corporate colleagues and members. And, at member level, as well as at corporate management level, they were unaware of the extent of the problem. This was not only because children's services senior managers did not alert them sufficiently but also because, for both portfolio holders and PDS committees, information about performance was not being brought forward nor scrutinised in ways that allowed effective analysis of performance.

4.5 This was also the case in relation to the BSCB which, despite the efforts of the relatively recently appointed independent Chair, and the extensive membership, did not have agendas, information or systems which necessarily

gave them sufficient insight into the service.

- 4.6 Even in cases where there was awareness of difficulties, lack of action was exacerbated by the silo working explained above. For example, colleagues in housing were clear there were issues in relation to housing care leavers, and staff within the leaving care service were also aware. But because of the lack of joined up processes, action was not taken and issues were not escalated or effectively addressed. There clearly would have been the capability to address this as can be seen by the very proactive approach being taken since the inspection by housing colleagues to establish a strategic approach for these vulnerable young people.
- 4.7 While some partners were also surprised by the failure, most were not. However, due to the poor relationships and partnership working practices set out below, the Council was not as aware as they should have been of their concerns and they were not acted upon or escalated.
- 4.8 Senior meetings within the Education, Health and Care Directorate were not considered to be drivers for improvement by most of the senior managers involved. The new format for the Corporate Leadership Team as a forum for 14 corporate managers as set out in paragraph 2.12 was not yet seen as achieving its objective of collective leadership and management. Other corporate processes designed to pick up issues of concerns were inadequately used, including the Council's internal audit and risk management processes. In 2014, two internal audit reports rated the Fostering and Adoption and the Leaving Care services as having 'nil assurance' while the Looked After Children service was rated as having 'limited assurance'. High priority recommendations from those reports were allowed to slip significantly, only getting sign off in April 2016. While the audits take a financial view rather than a case quality view of these services, it is still surprising that corporate procedures did not do more to chase the implementation of the audit recommendations. Corporate procedures also do not check that effective risk assessment is in place in Directorates. Even well after the inspection, in July 2016, safeguarding children risks had not been highlighted as high enough for corporate attention in the risk register.
- 4.9 One of the most important and high risk failings in the borough related to the high caseloads of front line social workers, particularly in the safeguarding teams. It is clear that the issue of caseloads was often discussed at both member and officer levels as was the issue of recruitment of social workers. However, at no point did the senior management in children's services alert members that the caseloads were dangerously high or that they required urgent action to be taken. This may well have been because very few managers within the service raised this themselves. Some felt they 'just had to get on with it, as nothing could or would be done' while others were not aware themselves that there was a real problem. There is no doubt that those who felt nothing would be done were acutely aware of the financial issues

facing the borough. This lack of escalation and action was a key feature of the pervasive culture in children's services.

Communication, engagement and resourcing

- 4.10 The review uncovered very quickly a significant mismatch in perceptions between staff, including some very senior staff, and members. There are widespread views among staff and partners that children are not a priority for members in Bromley; that members do not listen well to professional advice from officers or partners; that members have made significant cuts in children's services against advice and that the service is very poorly resourced; that Bromley benchmarks poorly in relation to social worker pay; and that members would not allow any services, including children's, to have additional resource. All Local Authorities are 'member-led' by definition, but the perception by a significant proportion of staff and partners in Bromley is that the way members operate in relation to children's services makes it hard for officers to 'get things done', to make their voices heard, or to make operational decisions.
- 4.11 Regardless of whether they are true or not, the perceptions themselves are very real and pervasive and they add to a culture which does not encourage pro-active, responsive or collegiate working and within which the failure of services for children has been allowed to take place.
- 4.12 Nevertheless, I was concerned to look for evidence in relation to the more tangible perceptions being expressed.
- 4.13 As indicated, there is no doubt that many staff and partners felt very strongly that the Council's narrative does not recognise or emphasise aspiration and ambition for children, including for the most vulnerable and that 'moral purpose and leadership' were also missing. At the same time, the Leader and the key members I met were all clear to me about their prioritisation of children. While politicians often hear more from their constituents about issues relating to their environment or access to amenities than they do about vulnerable children, members nevertheless expressed their understanding that their responsibilities are first and foremost for those in the borough in need of protection and support. They expressed deep shock about the outcome of the inspection and determination to take action to secure rapid improvements. The Council prides itself on providing value for money for its residents. It also prides itself on being a good place to live - a clean and green borough. These messages are well understood and recognised by staff and partners alike. The fact that messages that emphasise the importance of securing the best life-chances for all children, including the most vulnerable are not heard alongside the Council's other core messages is of significant concern and adds to the negative culture for children's services already described.

- 4.14 The prevalent view that members do not take account of professional advice from officers and partners, including clinicians, is also strongly held. At its heart, this stems from a belief that members consider they know better than professionals and that they might put political expediency above the needs of their vulnerable residents. This view is disputed by members and many senior officers who feel that members do listen carefully to advice even if they sometimes disagree with it. There is also a view that senior officers may hold back from presenting difficult evidence and opinion from members. I looked at a range of Executive reports which are the basis of most decision making in the Council. In compiling those reports, lead officers should ensure that risks are always set out for members' consideration and that the results of consultation with partners or the public are also clear. I found this practice to be patchy, including on some issues which were the subject of much concern by stakeholders.
- 4.15 In relation to savings, in common with every Local Authority, senior managers in children's services have been asked to propose savings to contribute to the cuts in the Local Authority budget as part of national austerity measures. Children's social care has been broadly protected in Bromley's savings in common with other Local Authorities. Net savings over 5 years, taking into account some allocated growth to the service, have comprised 4.7% compared to 30% in the Council overall. Savings taken have been those which were proposed by the DCS/AD and her team or by corporate managers – i.e. they were not suggested in a vacuum by members. This was not well understood by staff and managers in children's services and neither was it well known that, in the financial year 2015-16, children's social care budgets were slightly underspent. Children's services were allowed to carry that underspend over into their 2016-17 budget. 2016-17 budget monitoring is, however, currently showing pressures of £2.7m in the placements budget.
- 4.16 Notwithstanding that children's social care has been broadly protected, there were savings made which I consider to have been high risk and inadvisable. These include the corporate management saving, proposed by the Chief Executive, to have a combined DCS/AD; and the saving, proposed by children's services senior management, to delete a Head of Service role covering Referral and Assessment (R&A). Both these saving resulted in increased spans of responsibility which were unmanageable and took attention away from safeguarding children.
- 4.17 There is no doubt that significant additional resource is now required to turn around the failures of the past, at pace. There is also no doubt that these resources will be needed on an ongoing basis, including to cope with growing demand, need and population. Lack of resource was thought by many to be one of the key barriers to improvement. I examined the Council's expenditure overall for children's services as well as the savings above. Examination of Bromley's 2015-16 Section 251 statement compared to statistical neighbours shows that, while children's services do require additional resource to address

urgent issues and improve practice, and overall expenditure on children in Bromley is below the median of the SN group, expenditure is at the median for safeguarding and is above the median for expenditure on children looked after. Notwithstanding this, it is possible that the amount of resource allocated to different parts of children's services may have led to under-resourced aspects of the service.

- 4.18 There was particularly strong concern among staff about their perception that social worker pay at every level did not compare well with geographical neighbours and that this was causing colleagues to leave, and was also an indicator that they were not valued highly. In fact, Bromley social worker pay compares very well to other London boroughs, putting the borough either in the top quartile or at the top of the second quartile across all categories of social worker pay. In relation to closer geographical neighbours, Bromley is either the highest or second highest paying Local Authority.
- 4.19 It was also important for me to look at the Council's scheme of delegation in relation to examining the extent of financial responsibility Chief Officers are given to be able to operate flexibly and at pace. In the time available, it was difficult to get a comprehensive view of comparative schemes and there are differences across Local Authority schemes in relation to where delegation is conferred. However, it is clear that, in a number of areas, Bromley does not delegate as much authority to Chief Officers than other comparable Local Authorities. This may be a factor in contributing to the concern that it is not easy to 'get things done' in Bromley as it may slow down action and introduce an unnecessary level of bureaucracy, however slight.
- 4.20 In investigating why some concerns about services were not raised as they might have been in other Local Authorities, including in relation to the high caseloads, I was often told by staff that 'no more resource would have been made available'. At senior levels across the Council, this view was disputed. It is clear that, where business cases with strong rationales and benchmarking are made in Bromley, members have agreed to allocate more resource to meet need. I saw a good example of this in the development of the Council's homelessness strategy. In addition, while savings were being made in adults' services, it was clear that these were being closely monitored and that, if the DASS considered that the savings were not able to be delivered without undue risk, resource would be put back into the service.
- 4.21 However, while it is good and normal practice for members to require business cases to allocate growth, particularly in this difficult period of austerity, I found evidence that the current capacity and capability of staff in children's services was insufficient to meet the needs of this process in Bromley. There may be a case that requirements and processes are too onerous but it was certainly clear that managers in children's services did not have the skill set suited to this aspect of work and it was taking up time which should have been spent on safeguarding children, particularly at a point when management was already

stretched. Elsewhere in the Council, the capability for producing business cases for members is strong and these colleagues are well able to support this work.

- 4.22 As already indicated, these prevalent negative perceptions of Bromley's approach are clear barriers to the borough's improvement for children and have contributed to the failures found by Ofsted. Poor communication and lack of engagement with staff and partners is at the root of some of the issues outlined, causing a significant disconnect and lack of two-way understanding and collegiate working towards common aims.

Partnership working

- 4.23 There were very poor relationships between the Council and its key partners, although at various levels across the Council, in a variety of service areas, good work was evident among officers of different agencies. Nevertheless, key partners shared many of the same perceptions as described above and many partners expressed a lack of trust in the Council.
- 4.24 There was no formal children's partnership forum apart from the BSCB, and no collective plan relating to children and young people among partners.
- 4.25 Bromley has a high proportion of Academies. There is no reason why this should affect partnership working between schools and the Council. Collectively and individually, schools, whatever their status, are responsible for working with others to safeguard children and maximise their life chances. There is, however, a perception among officers and members in Bromley that while schools in Bromley are highly successful, they are 'difficult to engage with' and are not willing to work with the Council or even each other to share information or operate collective protocols. Schools, on the other hand, report that they feel communication with children's social care and with most parts of the Council is poor, that safeguarding practice at the Council is inadequate, and that they are not treated as core partners.
- 4.26 Communication between schools and the Council has narrowed to being almost entirely through the Director of Education and her team. While her relationship with schools is strong, this approach has not led to the building of robust and productive relationships more widely to support schools in their safeguarding responsibilities.
- 4.27 There is no doubt that the lack of trust and understanding between partners and the Council has impacted on the safeguarding of children and young people. If not addressed by all, it will also seriously compromise the building of capacity to safeguard Bromley's children and young people in the future, whatever the arrangements are for governance and delivery.

Practice and support for the front-line

4.28 The Ofsted report details the extensive concerns found relating to children's social care practice and these remained evident during my review. As should be clear from the findings set out, the key causes of the failures and the barriers to improvement in relation to improving practice were a range of leadership and cultural issues.

4.29 However, there were a number of additional barriers to improvement, including:

4.29.1 an outdated IT system, not fit for purpose. Social workers and their managers struggle to use the system. In addition, its reports do not allow easy case-tracking and have to be supplemented by manual systems. In some cases, the IT system is hampering attempts to streamline processes;

4.29.2 related to the IT issues above, staff in Bromley do not benefit from the use of mobile technology in their work and therefore waste much time which could be used to be working with children and families;

4.29.3 cumbersome processes and requirements. While this is part of the cultural landscape already discussed, many of the processes in use by children's social care add to the lack of focus on the child and take up too much of social workers' time, thereby exacerbating workload issues and reducing time spent with children and families;

4.29.4 lack of trust in audits and quality assurance. Because of the issues found in internal auditing, it is harder to check on the impact of improvements being introduced;

4.29.5 a particular lack of systems around child sexual exploitation and related matters.

Action required and being taken to remove barriers to make rapid and sustained improvements for children in Bromley

5. There is no doubt that the causes of failure and barriers to improvement in Bromley are real, extensive and challenging. However, there is also no doubt that the Council's response to the failure and to improvement has been focused, determined and ambitious.

5.1 Front line staff, their managers and senior managers in children's services have embraced the need to change and are keen to be directed in good practice approaches, to work more collaboratively, to be more focused on

children and to engage in more robust professional challenge around quality and risk. They also recognise the importance of accurate auditing and feedback.

- 5.2 Senior managers across the Council have also begun to embrace the need for change, for increased rigour around collective performance management, analysis and control, for closer working across the Council and for taking collective responsibility for improving relationships and supportive behaviours with each other and with partners. They have also understood the need to ensure that they build a stronger climate, together, of constructive professional challenge and support. While some senior managers have always had a strong relationship with members and felt able to fulfil their responsibility to present challenging evidence and advice, there is now a recognition that all senior managers, with the support of the Chief Executive, need to feel able to do the same. Most importantly, there is a commitment from senior managers to prioritise, together, the improvement of services for children in order to secure the best possible life-chances for them.
- 5.3 As already indicated, members have been shocked and deeply concerned by the outcomes of the inspection. They have accepted responsibility for the failures and want to put things right. The Leader has responded to the difficult findings of this review and to the inspection findings with determination and has taken a leading role in action to address the failures identified.
- 5.4 Partners, despite some still lacking confidence that the Council will address the cultural issues described to build trust, have recognised their responsibility to put history aside and play their part, collectively, in significantly improving services and outcomes for children.
- 5.5 This section of the report sets out the action necessary to remove the barriers set out in Section 4, details the action being taken and planned by the Council and its partners and includes further action required. It covers:
- 5.5.1** Leadership and management (*paragraphs 5.7 to 5.32*);
 - 5.5.2** Resourcing (*paragraphs 5.33 to 5.38*);
 - 5.5.3** Understanding strengths and weaknesses (*paragraphs 5.39 to 5.49*);
 - 5.5.4** Communication and engagement and partnership working (*paragraphs 5.50 to 5.70*);
- 5.6 To remove most of the barriers highlighted and bring about rapid and sustained improvement for children in Bromley, action is needed at three levels in each of areas set out above:
- 5.6.1** at practice level, to inject strong standards and approaches, pace, quality and consistency and the necessary management oversight;
 - 5.6.2** at Council level, to ensure that senior management and members support and fuel improvement and have robust but not over-

bureaucratic approaches to performance management and quality improvement;

- 5.6.3 at borough level, with partners playing their part in order to build the necessary capacity across the system to safeguard children and secure their life chances and choices.

Leadership and management

5.7 Key areas for action comprise:

- 5.7.1 the appointment of a **highly effective DCS** with the authority and the corporate and governance support to lead improvement (*paragraphs 5.8 to 5.21*);
- 5.7.2 securing effective **action to improve practice and outcomes** and the **capacity and capability to deliver** (*paragraphs 5.21 to 5.32*);

Appointment of a DCS and the support to ensure effectiveness

5.8 As indicated in Section 4, the review has found that the primary cause of failure has been the lack of leadership and management capacity and capability in children's services. Fundamental to the improvement required, whatever the arrangements for delivery and governance, is the appointment of a highly experienced DCS with significant leadership ability, partnership skills and a very strong track record of turning around failing services.

5.9 This was recognised by the Council prior to my appointment as Commissioner. Determined efforts were in train by the Chief Executive and Leader to find a suitable interim appointment. As the nature of the issues became evident during the review, it was clear that a swift process to find a permanent appointment would give greater confidence, including to staff and to partners, that a successful turnaround was being implemented and that it would be sustained. Given the inevitable recruitment and retention challenges found in failing authorities, finding an effective DCS, prepared to commit themselves to making a difference to Bromley, would also send an important message of confidence to children's social care staff about the importance of them being committed to immediate and longer term improvement in Bromley.

5.10 Because of the broader issues outlined in Section 4, the appointment of a highly effective DCS is essential but not sufficient to secure the success of improvement efforts. It is critical that any new DCS must have clear lines of authority across the Council to secure the necessary corporate and member support required to improve children's services. The DCS will also need the strong support of the broader children's partnership to bring their capacity to bear on the improvement work. And, critically, they must be able to operate effectively and at pace in a culture that allows their leadership to flourish so

that they can have impact for children in Bromley.

5.11 While it is acceptable for a new DCS to have a broader scope across adults and health, particularly to attract the right candidate, my early recommendation was that the new DCS must have their focus entirely on children's services for a period of at least 12-18 months or until key improvement targets have been met.

Appointment of a DCS and the support to ensure effectiveness - Action by the Council

5.12 Members have appointed an outstanding, permanent DCS with the knowledge, understanding and skills to:

- lead the rapid and sustained improvement of children's social care practice;
- play a strong role within the Corporate Leadership Team (CLT) to secure the necessary support from corporate senior managers;
- effect change across the Council in relation to the cultural and leadership issues identified;
- work constructively with members to ensure that improvement efforts are sufficiently prioritised, resourced, supported, embedded, communicated and understood;
- work constructively and effectively with partners to ensure their efforts are well aligned to secure maximum impact for children.

5.13 The Chief Executive has secured the new DCS' time in Bromley prior to his appointment date. He has worked until now, for one to two days a week, as an independent adviser, post-inspection, leading the development of the improvement plan, advising the Improvement Governance Board and supporting the initial post inspection improvement work. From 26 September 2016, he will work 3 to 4 days a week in the borough until he starts full-time as a permanent Chief Officer on 1 November 2016.

5.14 The Leader and members have agreed to the DCS being appointed into a new role of Deputy Chief Executive. This is a clear indication of their understanding of the priority and status of children's work within the Council. The Deputy Chief Executive's role will encompass children's and adults' services, housing and health. However, the newly appointed Deputy Chief Executive, the Leader and key members, and the Chief Executive have agreed that his focus must remain entirely on children for 12 to 18 months or until key improvement indicators have been met. The additional scope of the role will, nevertheless, allow the Deputy Chief Executive to break down silos across key Council divisions as well within children's services.

- 5.15 The Chief Executive is working to ensure that the Corporate Leadership Team (CLT) operates more effectively. He sees the group of 14 senior managers as the driving force for change in the Council, dealing with blockages so that the organisation and partners will start to recognise a different approach by the Council. The new Deputy Chief Executive will have a comprehensive remit across the organisation and will therefore be able to exercise his authority across the business. The Chief Executive is refocusing the work of the CLT to allow it to play a more direct role in supporting the improvement effort for children and the new Deputy Chief Executive. Children's improvement issues are now on every agenda and senior managers understand and accept the need for them to be a key part of securing change for children and for the Council.
- 5.16 The Deputy Chief Executive will have an important part to play in ensuring he uses the considerable potential of Bromley's CLT to make a real difference. Senior managers themselves have responded well to the needs arising after the inspection and during my review, and are now providing more pro-active support to colleagues in children's services. Good examples of this have been the support by corporate commissioning colleagues to secure the speedy recruitment of a post to increase the capacity of commissioning children's placements; work of housing colleagues in relation to care leavers' accommodation; the work of finance colleagues to deliver the Leader's commitment significantly to increase resources for children's social care; the work of HR colleagues to increase the speed of recruiting to newly developed children's social worker posts; and the work of education colleagues to develop proposals for a new Schools Partnership Forum to support improved working between schools, children's social care, health, the police and other parts of the Council.
- 5.17 There are encouraging indications that the Leader and portfolio holders are committed to supporting the work of the new Deputy Chief Executive and to developing a supportive environment within which he and his teams can thrive. The Leader's work to provide additional resources and to engage and communicate more effectively with staff and partners is set out elsewhere in this section. In addition, he has accepted the findings of the inspection and of my review and has led the post-inspection efforts through the Improvement Governance Board. He has been responsive in implementing the recommendations I have made on an ongoing basis throughout the review.
- 5.18 The Leader has committed to reviewing the governance and scrutiny structures of the Local Authority in order to ensure that they prioritise children appropriately and that they are effective in understanding the impact of decision-making on children's services and in holding children's services to account. This includes reviewing the portfolio holder structure in order to consider the benefits of having a single portfolio holder for children and young people, not least to streamline member-level support for the new Deputy Chief Executive. The structure of PDS Committees is also being reviewed to

consider the benefits of a single PDS Committee for children and young people and to improve the scrutiny function related to children and young people. Key members are showing an understanding and acceptance of the need for change. In common with the CLT, the Leader has indicated that all meetings of the Cabinet should have a children's item on the agenda to ensure that all members of the Cabinet stay involved with the improvement effort.

5.19 The Leader made an early decision to pass over the role as Chair of the Improvement Governance Board to an independent, experienced individual once the Plan is submitted to Ofsted at the end of September. The Leader, key members, the Chief Executive, senior partners and other members of the Board understand and are keen to ensure that the new Chair is robust and rigorous in monitoring progress against the Improvement Plan to secure rapid and sustained progress.

5.20 There is some evidence of improvement in using good practice from elsewhere. For example, legal colleagues have been working with Camden to check their views on cases where there had been disagreement with colleagues in children's social care about the robustness of evidence for court. The DfE/HO support offered to support Bromley in improving CSE practice is also being taken up.

5.21 This early progress indicates that the Council is prepared to change in order to provide the new Deputy Chief Executive with the support he needs to be effective. However, it will be key for the Council to:

5.21.1 ensure all the intended actions set out above are in train and that they are monitored closely to ensure they are having the necessary impact.

5.21.2 hear from the new Deputy Chief Executive early in his tenure on other action required to reduce bureaucracy and increase pace and flexibility in the Council. This may include, for example, reviewing the scheme of delegation for Chief Officers; ensuring more responsive and speedy actions to facilitate streamlined processes and proactive action where necessary on capability issues;

5.21.3 build on the start made to secure greater learning from elsewhere on good practice in key areas;

5.21.4 ensure the review of governance and scrutiny structures is completed in a timely fashion and is well understood by staff and partners as well as members.

Securing effective action to improve practice and outcomes, and the capacity and capability to deliver

- 5.22 The vast majority of front-line staff and managers in Bromley work extremely hard and are passionate about the children they work to help. They have been let down by the failures found in the inspection and they are very keen to improve how they work. The new Deputy Chief Executive has indicated his strong support for those staff. He and they must now work together to impact directly and swiftly on the poor practice and approaches found in the inspection, much of which are still in place. Section 4 highlights the issues found in relation to the lack of leadership causing poor quality assurance and management oversight, silo working, lack of child-focused working, inconsistencies, drift and poor pro-activity. High caseloads contributed significantly to the problems seen in the inspection and Section 4 also set out some additional practice issues that need to be dealt with if the recommendations in the inspection report are to be successfully addressed and improvements for children delivered.
- 5.23 Key to addressing these issues is securing the right capacity and capability to deliver the required improvements. While the appointment of the new DCS is critical to this, he clearly cannot be successful on his own. He will need strong teams and managers to support him in introducing child-focused, streamlined approaches. If caseloads are to be addressed, and capability increased, resources will be required on an ongoing basis to deliver the necessary additional staff. Equally, if management oversight of practice is to be effective, management spans need to be realistic.
- 5.24 There is little doubt that structures in Bromley's children's services need to be reviewed. However, I am clear that extensive re-structuring would be a distraction for staff if undertaken in the short-term. It is a second-order issue to be considered once practice is secure. There may be some quick wins in relation to structures in some parts of the service but the focus needs to remain on supporting front-line colleagues to embed high quality social work in the short term.

Securing effective action to improve practice and outcomes, and the capacity and capability to deliver - Action by the Council

- 5.25 Prior to the inspection report being received, and prior to my review, the current DCS/AD compiled an immediate action plan to address issues raised by inspectors during their visit. The action plan focused on reviewing cases in areas where inspectors had found shortcomings (e.g. Section 20 cases to check if they should be in proceedings; Looked After Children to check their placement and care plans; Care Leavers' accommodation to ensure they are not in B&B; PLO cases over 6 weeks; CIN and CP cases to check thresholds are correctly applied) It also focused on increasing escalations from IROs and

CP Chairs where issues were not being acted upon; and escalations where legal and children's social care staff disagreed on thresholds being met for legal planning meetings. There is evidence of some progress from this action plan, particularly in relation to escalations. Nevertheless, the lack of capacity and capability to guarantee rigorous and accurate auditing has been an issue in securing effective checking of impact.

- 5.26 Over the last two months, the Improvement Governance Board has overseen the formation of a detailed Improvement Plan which has been developed under the guidance and leadership of the new Deputy Chief Executive. It sets out actions under themes covering leadership, management, partnerships and practice, including the critical area of CSE and missing children. The Plan goes further than just addressing the Ofsted recommendations and, if resourced, implemented and monitored effectively, I am confident that it can provide the blueprint for radically improving children's services in Bromley and for sustaining that improvement.
- 5.27 Additional capacity has been agreed at Head of Service level to make management spans more realistic in order to allow more effective oversight of practice and support for front-line staff and managers. Further Group Managers are being recruited to improve direct support for social workers and management oversight of cases. Additional social workers are also being put in place to reduce caseloads. In relation to the critical area of quality assurance and audit, interim senior managers are now in place and have already begun to address shortcomings and provide additional support to other teams.
- 5.28 The new Deputy Chief Executive has set out his agenda for action in the Improvement Plan. Even prior to his appointment he has begun to take action to implement improvements. He understands well the different stages of turning around poor practice and has identified a number of external managers to form a 'core team' who will work with him as required to support him and his teams in Bromley, providing independent audit capacity and capability and working with front-line staff and their managers to support improvement and to exemplify and embed good practice. This turn-around team will be able to work with the new Deputy Chief Executive and his teams flexibly to ensure a nimble and proactive response to secure effective approaches and train Bromley staff as required. They will bring a swift injection of support and leadership to existing front line staff and managers and also ensure that, where there are capability issues, they can be dealt with effectively without causing disruption to the improvement effort. Part of the additional resources identified by the Executive has been set aside for the Deputy Chief Executive to use flexibly to support this work.

5.29 As indicated above, action in many areas is in train, begun by the current DCS/AD and her team. The new Deputy Chief Executive will be building on this with his turn-around team and with staff to:

- deliver on the safeguarding practice themes in the Improvement Plan;
- run development sessions on the Improvement Plan and on service improvement with all staff and with portfolio holders, committees and the CLT;
- run sessions for members with regard to their corporate parenting role; ensure that the lead member role is clearly understood by all members; training members on effective scrutiny of safeguarding, including to develop a better understanding of questions to ask;
- deliver the urgent reduction in social workers' caseload (20 cases for Referral and Assessment and 15 for social workers in the Safeguarding teams);
- secure accurate quality assurance and audits of all open cases and of those closed in the last three months;
- introduce a twice-yearly independent review of CP, CIN and CLA cases with a focus on baseline assessments, improvement planning and auditing of cases to calibrate internal case auditing;
- allocate a practice improvement mentor to every social worker (five days per social worker) to support front line staff in understanding the features good social work practice;
- ensure training on key social work practice issues for all social workers in areas such as assessments, risk assessment, and developing high quality plans;
- introduce learning weeks and 'thematic case audit' weeks as part of an ongoing new quality assurance framework;
- review all social work policies and procedures with a view to streamlining practice and maximising time spent with children;
- ensure training on supervision for all line managers to secure an understanding of reflective practice and learning;
- improve communication by setting up 'engagement forums' for social workers to focus on improving practice and dialogue with senior leaders;
- introduce new risk assessment processes for all open cases.

5.30 The Leader, portfolio holders and PDS Chairs, as well as welcoming the opportunity for more training, have also committed to a range of activity designed to deepen their understanding of how children's social care operates, the challenges faced by their front-line staff and managers, and critically, to the experiences of the children who are being supported by their services.

5.31 The Chief Executive has recognised the shortcomings of the Council's children's social care IT system. A new system has been commissioned to better support good practice and case tracking. Front line staff and their managers have been involved in the development of the system and it is due for full implementation from April 2017.

5.32 I am very confident in the ability of the new Deputy Chief Executive to lead the significant improvement of social work practice if he is given the support described. It will be key for the Council to:

5.32.1 ensure all the actions set out above are in train as part of the implementation of the detailed Improvement Plan described and that they are monitored closely to ensure that they are having the necessary impact;

5.32.2 keep training for staff and members under review;

5.32.3 ensure the Improvement Governance Board appoints a robust independent Chair and that a monitoring programme for the Improvement Plan is clearly set out, prioritised and well communicated to staff, partners and members;

5.32.4 ensure that the new Deputy Chief Executive has the support he needs to work flexibly and quickly to bring about the necessary improvements.

Resources

5.33 While resourcing has not been the major factor in the failure of children's services in Bromley, it has featured as a barrier to improvement in various ways as set out in Section 4. It is certainly now the case that additional resource is required on a recurring basis to improve and change practice, to increase capacity for effective management oversight and urgently to reduce caseloads. It is also the case, as indicated above, that additional flexibility is necessary so that the new Deputy Chief Executive has both the authority and responsibility to act quickly to ensure children are safeguarded.

5.34 While, at around the time of the inspection, children's services were operating within their budgets, action since the inspection is contributing to an in-year pressure of £2.7m in the placements budget. This will need to be taken into account as part of the ongoing budget setting for children's services.

5.35 It is very likely that Local Authorities will continue to be subject to budget cuts from central Government. It is critical that children's social care and related budgets are protected from the impact of those savings in the medium term while improvement is being forged and sustained. Efficiencies, however,

should always be sought as a matter of good practice. They are likely to be possible, particularly when, in the medium term, restructuring is considered. These savings should, however, be allowed to be used within children's services to support the ongoing implementation and embedding of the actions in the Improvement Plan in order to fuel the efforts to improve outcomes for children and young people in Bromley.

Resources – Action by the Council

- 5.36 Early on, the Leader committed to providing the necessary resource to implement the Improvement Plan and secure improvement on a sustained basis. Initially, £950k was approved for immediate use to build capacity. On 14 September 2016, the Executive approved a package, extending this to £2.3m on a recurring basis for children's services. As well as supporting the appointment of the new Deputy Chief Executive, the resource will allow the appointment of new senior managers as described, including to lead on quality assurance and audit, to ensure a more effective approach to the commissioning of placements and to reduce management spans at Head of Service and Group Manager levels. 14 new social workers are in the process of being recruited to help reduce caseloads and to establish a court team to expedite care proceedings. The new Deputy Chief Executive will be well placed to ensure that the additional resource is well focused on securing impact for children.
- 5.37 Over and above this £2.3m, a further £2.7m has been identified to address the in-year pressures on the placement budget. There is recognition that the current placement budget is likely to be under-resourced and consideration is in train in relation to building the additional £2.7m into the base budget, again over and above the £2.3m identified to increase capacity and capability as described.
- 5.38 The response of the Council in relation to resourcing has been swift and effective. They have recognised their responsibilities to resource the Improvement Plan and prioritise spend on safeguarding children. It will be key for the Council to:
- 5.38.1 keep the resourcing of the Improvement Plan under review as part of the monitoring work of the Governance Improvement Board, including to increase resource further if necessary;**
 - 5.38.2 over and above the agreed improvement resource, ensure that the placement budget is secure going forward by including what is required in a restructured base budget;**
 - 5.38.3 ensure robust financial forecasting and monitoring is in place as part of ensuring that the additional resource is having the**

intended impact;

5.38.4 protect children's social care from cuts to its base budget in the medium term;

5.38.5 work with the new Deputy Chief Executive to ensure systems are in place to give him the delegated financial authority he requires to act quickly and flexibly to improve outcomes for children.

Understanding strengths and weaknesses

5.39 Going forward, it is essential that systems are in place at every level to have a clear and accurate view of how services are performing for children and young people. At practice level, social workers, their managers and their senior managers need to use management and quality information more effectively for children. At senior management levels in the Council, CLT must be sighted, not only on how improvement in children's services are progressing but on the quality and performance of services across the piece. At governance levels, members need to understand the strengths and weaknesses of children's services and the implications of that for their decision making. In relation to the BSCB, their work to scrutinise and support safeguarding across the partnership needs to be aligned to the improvement effort as set out throughout the Improvement Plan, and their deliberations need to be well-informed and sighted on the relevant issues.

5.40 Front-line staff and their managers need to feel more able to fulfil their responsibility to raise issues of concern and have those concerns listened to and responded to in a timely manner. They need to have confidence that necessary action to address legitimate concerns will be swift and effective. Equally, they need to recognise the importance of healthy professional challenge of their practice and see that as part of a positive culture within which to keep children safe.

5.41 The complaints and concerns of children and parents, and of partners should be welcomed and responded to effectively and used to improve practice further.

Understanding strengths and weaknesses – Action by the Council

5.42 The level of shock at the outcome of the inspection from colleagues across the Council has been palpable. Consequently, key members and senior managers recognise the importance of securing improved performance and quality management across the piece.

5.43 The new Deputy Chief Executive has included, in his priority plans to improve practice: a focus on training staff and managers to use performance

information; the regular feedback to staff and their managers of issues arising through audit and quality assurance systems; systems to ensure child-focused approaches, including taking account of their views and experiences; and the introduction of new practice standards setting out clear expectations. A Directorate Performance Board will receive analysis as well as data to inform improvement work.

- 5.44 The Improvement Plan sets out what needs to be monitored so that the independently chaired Improvement Governance Board can be clear about progress and about action required. An early action set out in the Plan is to develop for members and others a 'line of sight' document that will give a clear picture of progress in improving children's services.
- 5.45 The Chief Executive is introducing new performance management into his CLT. He has indicated his intention to increase the capacity of the CLT to analyse data and performance information and the top team will be considering 'Critical Performance Data' on a monthly basis alongside the action required as a result. This will include benchmarked information about children as well as other services and will include key corporate performance indicators which will allow senior managers to ensure a better oversight across the Council. He is considering how to build into these new systems the assurance that senior managers are regularly learning from other Local Authorities where good practice and outcomes are evident.
- 5.46 The Chief Executive has also accepted the need to strengthen other internal control mechanisms and has decided that, as well as key performance information, his CLT will also scrutinise the corporate risk and contract registers, financial monitoring and complaints monitoring. Given the shortcomings found during my review on the treatment of risk within the Council, the Chief Executive has also decided to appoint an independent professional as 'guardian' of the risk register.
- 5.47 At governance level, performance management is also being reconsidered and strengthened as part of the review of scrutiny structures and processes. Cabinet meetings will consider performance management information on a monthly basis.
- 5.48 The independent Chair of the BSCB has accepted the need to improve the Board's insight into the impact of the Council's safeguarding services to contribute to a better understanding of the strengths and weaknesses of services across Bromley. Given the recent Wood Review into LSCBs and the scale of change being forged in Bromley, she and the new Deputy Chief Executive have agreed that they should consider afresh what multi-agency arrangements would be most effective in Bromley. They have agreed the importance of ensuring that, whatever those arrangements, they are well aligned to the activity in the Improvement Plan so that the Board or its successor can effectively challenge and support the Council and partners in

relation to safeguarding practice. They have also agreed the importance of the arrangements feeding into the new children and young people partnership structures set out in the Improvement Plan.

5.49 It is early days for the improvement of performance management in Bromley. However clear and encouraging the intentions, it will be key for the Council to:

- 5.49.1 ensure that the intended performance management systems are effectively implemented and that there is the capacity and capability to analyse performance data and act on it;**
- 5.49.2 ensure that the systems implemented are not overly bureaucratic so that they take attention and capacity away from the core job of improving outcomes for children;**
- 5.49.3 learn from others who have streamlined, effective systems in place;**
- 5.49.4 implement simple and cost-effective ways of gauging front-line staff and managers' confidence to raise issues and concerns in children's services;**
- 5.49.5 ensure that CLT operates as intended with strong internal challenge and support;**
- 5.49.6 ensure, in relation to the future of the BSCB, that any renewed multi-agency safeguarding arrangements are well supported, fully costed and resourced across the partnership.**

Communication and engagement, including partnership working

5.50 If culture is to be changed to enable children's services to be effective, all those working to improve outcomes for children in Bromley need to be confident that children, and particularly vulnerable children, are a priority in the borough. The Council's moral purpose and leadership for children needs to be as evident as their concern is to achieve value for money and make Bromley a great place to live and do business.

5.51 This is true for all children and it is particularly the case for Looked After Children. Members need to understand and commit to their responsibilities as corporate parents and ensure that their ambition is as high for those children as it is for their own children.

5.52 The Executive and Council are there to make decisions as they are in all Local Authorities. There needs to be confidence across the children's economy in

Bromley that professional advice is taken and carefully considered. Reports to the Executive and to Council need to make clearer the advice received from professionals and the risks inherent to the decision in question. Where decisions are made that do not accord with that advice, reasons for doing so need to be explained and understood. Members need to engage effectively with staff and partners in order to give confidence that they understand the impact of their decisions.

5.53 Communication and engagement with partners is key to building the necessary trust to enable everyone to work together for children. The Council needs to bring to bear the full capacity of the partnership if progress to improve children's services is to be rapid and sustained. The lack of confidence partners have expressed in the Council has been a major barrier to improvement. Engagement is a two-way issue and both the Council and its partners need to ensure that they are playing their part to work together to secure improved outcomes for vulnerable children in Bromley.

5.54 Because of their number, communication and engagement with schools is particularly challenging. While headteachers are represented on various groups, despite the good efforts of the individuals concerned, this does not necessarily secure communication to all schools and therefore the impact is weaker than it could be. The Council's engagement with schools needs to be broadened significantly so that relationships are built outside the Education Division and so that schools feel that they are core partners in improving outcomes for children and building a better Bromley. They especially need to understand what is required of them in relation to improving safeguarding in the borough and have clear and responsive contact points within children's social care.

5.55 There has been concern by some in relation to how different Boards relate, including the new Improvement Governance Board, the Health and Wellbeing Board, the Safer Bromley Partnership and the BSCB. It is very positive that partners are keen now to work more effectively together. However, with the advent of new and much needed partnership arrangements as set out below there will be even more of a need to ensure arrangements, multi-agency groups and their terms of reference are clear, do not duplicate and, in particular, do not take up undue time of senior colleagues across the partnership at a point when the focus must be on improving practice

Communication and engagement, including partnership working – Action by the Council

5.56 The very difficult findings of my review in relation to communications and engagement and partnership working have been accepted by senior managers and key children's members in the Council. The Leader has taken

a number of actions that indicate his concern to address the issues found.

- 5.57 The Council's key objectives are set out in documents entitled 'Building a Better Bromley'. The Better Bromley 'strap-line' is well known across the borough. The Leader and Cabinet have revised the overarching framework document to put 'ambition for children' alongside the Council's other core messages. The Leader has advocated his commitment to prioritising children within the Improvement Governance Board.
- 5.58 The Leader and Chief Executive have met with children's services staff during August to set out their support and to explain the additional resource which the Leader has committed to improve their caseloads and support their improvement efforts. Staff are generally motivated by the attention and support being given to them since the inspection even though many remain frustrated that changes are slow. I have been impressed by front-line colleagues' determination and their commitment to children in Bromley. Once the increased capacity is fully operational, they will be more able to see and believe in the messages being relayed.
- 5.59 Proposals for member training are set out above and that will include training on corporate parenting. The review of scrutiny arrangements is considering how to ensure members are much more engaged with and sighted on services for children. The training will also cover roles and responsibilities to enhance working practices between officers, members and partners.
- 5.60 The Chief Executive recognises that communication and engagement are also the responsibility of all senior managers. He intends that the CLT will ensure that senior and middle managers across the Council understand their role in supporting children's services and the wider children's partnership to deliver improvements. The Chief Executive will also regularly update staff at his monthly Managers' Briefings.
- 5.61 The new Deputy Chief Executive has committed to ensuring much greater communication with staff, including regular feedback sessions where he and his senior managers can hear directly from staff about their concerns and challenges. He understands fully the need to ensure that staff see action on legitimate issues.
- 5.62 The Leader and Chief Executive have agreed that all Committee reports will, in future, include a mandatory paragraph to be completed by the report author entitled 'Implications for vulnerable children and adults'.
- 5.63 The Chief Executive has recognised that communication and engagement with partners is key and he has committed to spending more time re-establishing relationships in informal as well as formal ways. The Deputy Chief Executive comes to Bromley with a strong track record of partnership working and he is keen to continue the good start he has made in the

Improvement Governance Board to build trust and two-way communication.

- 5.64 The Improvement Governance Board was expanded very early in the review period to include the senior management from key partners, including the CCG, the police and schools. Work within the Board has significantly improved partnership working already and the Board is developing into a robust and honest forum where partners and the Council alike are recognising and removing barriers and working towards common aims with determination. All the partners represented on the Board have been involved in the development of the Improvement Plan and have signed up to its requirements.
- 5.65 Partners on the Board have clear expectations that they will be active in securing delivery on key aspects of the Plan. The Deputy Borough Commander, who is very experienced in child protection issues, is leading the task group working on CSE, missing children and gangs. The CCG has proposed the establishment of an Integrated Commissioning Unit for children as part of its response to the inspection. The ICU would bring strong joint working, including in relation to children's budgets, and ensure that safeguarding arrangements are at the heart of joint commissioning for children and young people in Bromley. The Council and senior partners have also agreed to take part in a joint Leadership Development exercise designed to improve relationships and working practices further.
- 5.66 As part of the programme of improvement of children's services, the Improvement Plan sets out actions designed to support the Council and its partners to align their work to ensure increased impact in key areas. The Plan proposes the establishment of a partnership governance structure for children and young people and to re-introduce a Children and Young People's Plan which will set out the borough's common priorities for children and young people, be approved by all partners and owned across the borough.
- 5.67 In relation to the Council overall, the Borough Officers' Strategic Leadership Forum has previously comprised the Chief Executive of the CCG, the Borough Police Commander, the Borough Fire Commander, representatives from the Voluntary Sector, DWP, Bromley College and the Council's Chief Executive. The Forum is being refreshed with the Leader now taking the Chair, indicating his determination to improve working practices and relationships across agencies. Once in post, the new Deputy Chief Executive will also attend the Forum. While the Forum will not have formal powers on behalf of any of the constituent organisations, there will be a clear expectation that items agreed at this group will be taken through the respective organisations' decision-making structures. It is intended that a key task for this group will be to undertake an internal SWAT analysis from which points of change and improvement can be agreed and key priorities identified.
- 5.68 Because of the partnership issues raised during the review, the Leader and Chief Executive have agreed that they will conduct an annual 360° feedback

exercise to gauge how well engaged partners feel and to enable the Council also to feed back to partners. The Forum will decide how best this should be operationalised.

5.69 In relation to schools, notwithstanding the depth of concern they have expressed, headteachers have responded positively to the need to improve engagement with the Council. They are working with the Council to consider the establishment of a Schools Partnership Forum designed to include a significant number of headteachers as well as key senior officers from across the Council, and senior officers from health, the police and other partners. The aim is to broaden and improve communication with and between schools and also to provide a forum to develop protocols and practices designed to improve outcomes for vulnerable children and young people. Schools will continue to be members of the Improvement Governance Board and other key partnership structures but the Schools Partnership Forum will have schools' needs and issues as its primary focus.

5.70 There is no doubt that the Council has made a start to address the barriers to improvement in relation to communication and engagement and partnership working. However, to get these messages out to staff and partners alike effectively is challenging, takes considerable time and effort and is an ongoing process. To secure impact, it will be key for the Council to:

5.70.1 develop a strong communications plan with partners to ensure that the relevant elements of the Improvement Plan for staff and different partners are well understood by those who need to take or support action;

5.70.2 ensure schools, in particular, are clear about what they are expected to do to support the improvement effort and that they have clear, responsive contact points within children's social care;

5.70.3 ensure that the new focus on ambition for children in 'Building a Better Bromley' is championed by members of the Cabinet, by other members and by the senior management of the Council so that the message is well heard and understood by partners and staff as well as by children and young people and other residents;

5.70.4 ensure that the website and all Council corporate plans and council related documents reflect the ambition for children in Bromley;

- 5.70.5 work to build trust, strong relationships and working practices with partners at every level;**
- 5.70.6 ensure that all reports to the Executive and Council make risks and professional advice clear and that decisions which go against advice are explained and understood;**
- 5.70.7 work with partners to make new children's partnership governance arrangements clear and straightforward, particularly to ensure that relationships between any multi-agency groups are understood, that their terms of reference do not duplicate effort and that the overall burden of arrangements is proportionate and manageable;**
- 5.70.8 recognise the scale of change required to bring about sustained improvement for children in Bromley and consider increasing capacity for strategic change management.**

Conclusions and recommendations

- 6. The purpose of the review was to evaluate the corporate and governance capacity of the Council to make rapid and sustained improvements to their services for children in order to achieve the outcomes that children in Bromley deserve. That evaluation could then inform a recommendation to the Secretary of State as to whether alternative delivery arrangements are the most effective way of securing and sustaining improvement in the London Borough of Bromley.
- 6.1 There is no doubt about the systemic failures that were found by Ofsted in Bromley. I have set out my view of the causes of the current failures and also the action that I consider necessary to address those causes in order to secure sustained improvement for children, at pace.
- 6.2 Key to that improvement is the effective leadership and management of children's services in Bromley. With the appointment of the DCS as Deputy Chief Executive, that leadership is secure. However, as indicated throughout the report, it is not in itself sufficient. He needs to be able to operate with authority, flexibility and focus, and to count on the support of partners.
- 6.3 The evidence I have set out indicates that the Council has taken responsibility for the failures and understands what is required now to support staff, under new leadership, to make the required improvements. They have made an encouraging start in many areas to address the issues, including through committing additional resource on a recurring basis. However, it is still early days and the task ahead is very challenging. While intentions are clear and positive, and while early actions are reassuring, it would be important, if

services were to remain with the Council to retain some independent oversight to ensure those intentions are translated into delivery. The Council is clear that it wants to retain its services in order to put them right for their children. Equally, the new Deputy Chief Executive would prefer the Council to retain services so that he can continue to improve services and build momentum without distraction.

6.4 In line with the terms of reference for the review, I considered a range of alternative governance and delivery arrangements to ascertain whether they would be more likely to achieve rapid and sustained improvement than leaving the services with the Council. There is no doubt that, in the right context, these models can provide a clear focus on children and young people where Councils cannot. I particularly considered the extent to which different models would:

- bring about improvement more quickly;
- secure more likelihood of sustained improvement;
- be more manageable to deliver within the Bromley context;
- maintain and build on the momentum now in train in Bromley;
- secure the retention of the newly appointed Deputy Chief Executive, given his expertise and clear ability to lead improvement in Bromley.

6.5 I gave early consideration to a 'hard' partnership with a successful Local Authority which could use its management team and key staff to run Bromley alongside or as part of its own services. However, given the appointment of the Deputy Chief Executive and the fact that he is bringing a team of experts with him flexibly to support improvement, this model could duplicate or even undo much of what is already being achieved in Bromley. It could also reduce momentum and, critically, would be unlikely to work as quickly or as effectively than Bromley having its own permanent, core, effective team in place.

6.6 In all Trust arrangements, the Council statutorily retains accountability for children's services, even if they are not directly delivering those services. The Council and its partners are already taking a range of actions to improve services. In this context, an imposed external Trust model is likely to have a negative impact on the pace of improvement and reduce the momentum currently in train. In the time taken to get the Trust established, improvement should be well on track in Bromley in any case. Even though the new Deputy Chief Executive could become the Chief Executive of the Trust, the imposition is likely to take focus away from the improvement effort at a point where colleagues in Bromley are working to deliver their ambitious Improvement Plan.

6.7 From the range of alternative arrangements considered, given the issues in Bromley, collaborative models met more of the criteria above than others, particularly the social enterprise company model in use in Kingston and

Richmond. That model brings together Council services for children along with partners in a Council-owned company. The new Deputy Chief Executive could become the Chief Executive of the company which would be arms-length from the Council. There are many advantages of this model including for successful Local Authorities, not least the ability to keep focus and flexibility for children and to forge strong partnerships within the company structure. Its collaborative nature would also allow a more permanent solution which could help with sustainability.

- 6.8 However, as with the children's social care Trust model, this social enterprise model is also seen by Bromley as a distraction which will take attention away from the improvement effort currently in train. The success of this model is harder to achieve without the enthusiasm and support of the Council and its partners. It will take time to establish and therefore be slower to impact positively on children in Bromley.
- 6.9 On balance, my view is that the evidence points to Bromley having made an encouraging start to making the improvements required to ensure children in the borough are safeguarded. On that basis, I have concluded that the best way forward for children in Bromley is for the Council to retain control of its services. However, in order fully to be confident that the Council can sustain the encouraging start and improvements it is making, my recommendations below include the need for some continuing senior oversight which will bring confidence to staff and partners that the Council, with their support, can deliver on their intentions.
- 6.10 The nature of that oversight is important. Because of the appointment of the Deputy Chief Executive, I am confident that Bromley will have the practice expertise necessary to bring about improvement. The Deputy Chief Executive understands when and how to bring in external advice and support to support him and staff in Bromley to embed effective approaches to safeguarding and support children to achieve strong outcomes. He does not, therefore, require specific practice-level support or oversight from DfE advisers. The oversight needed is at a senior level to ensure that senior members, corporate senior management and senior partners work together to create the culture and leadership necessary and to deliver on the intentions set out in this report. This oversight will complement Ofsted's monitoring of practice improvement to provide the necessary reassurance of a sustainable approach.
- 6.11 I am therefore recommending below that, if services are to be retained by the Council, a Commissioner is put in place, under a further statutory Direction to the Council. The Commissioner's remit should be to provide oversight in Bromley for six months at the end of which a final recommendation can be made as to whether the Council has shown that its corporate and governance capacity is delivering on its intended plans. Confidence in relation to the Council's capacity and capability to deliver should be clearly evident within

that time-frame.

- 6.12 The Direction should make clear that, in order to retain its services for children and young people, the Council will need to show that it has made sufficient progress in the key areas set out in this report. This must also include their delivery in relation to the Improvement Plan, meeting its stated intentions within the timescales required.
- 6.13 The Direction should also include the requirement for the new Deputy Chief Executive to have his focus entirely on children's services over the coming period, despite his broader brief. This will ensure that Bromley has the capacity to make the difference for children and young people in the borough. It should be clear that this is not a narrow focus. As indicated earlier in the report, as part of this, the new Deputy Chief Executive will need to play a critical role within the Council's Corporate Leadership Team, with members across the Council, with staff and with partners to ensure that everyone is working together to improve outcomes for children and young people. His position should enable him to work to remove silos within children's services, across the Education, Care and Health Directorate and more broadly across the Council.
- 6.14 During the six-month period, the Commissioner should meet monthly with the Leader, Chief Executive, portfolio holder(s) and the Deputy Chief Executive; should attend any other key meetings that the Commissioner considers critical to the remit; and, when appropriate, the Commissioner should meet with partners and whoever else they consider necessary to ascertain progress on the actions and intentions set out in this report. If, at the end of the period, the Commissioner cannot be confident that the Council's intentions are being delivered effectively, advice should be provided to Ministers about alternative governance and delivery arrangements. I estimate that the Commissioner will need no more than 2-3 days a month to fulfil this remit.

Recommendations

6.15 On the basis of the evidence set out in this report, I recommend that:

- 6.15.1 the London Borough of Bromley should retain its children's social care services on the basis that they deliver on the intentions set out in this report;**
- 6.15.2 a Commissioner should be put in place for the London Borough of Bromley for a period of six months with a remit to recommend whether, at the end of that period, the Council has demonstrated its ability to deliver on its intentions, having made sufficient progress in the key areas set out in this report, as well as**

delivering on the requirements of the Improvement Plan within the stated timescales;

6.15.3 if the Commissioner considers such progress is insufficient, they should advise on alternative delivery and governance arrangements for Bromley's children's services;

6.15.4 any Direction issued to the London Borough of Bromley should make clear that, despite his broader brief, the DCS should have his focus entirely on improving services for children and young people during the improvement period.

Frankie Sulke CBE

Commissioner for Children in the London Borough of Bromley

September 2016

© Crown copyright 2016

This publication (not including logos) is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

To view this licence:

visit www.nationalarchives.gov.uk/doc/open-government-licence/version/3

email psi@nationalarchives.gsi.gov.uk

write to Information Policy Team, The National Archives, Kew, London, TW9 4DU

About this publication:

enquiries www.education.gov.uk/contactus

download www.gov.uk/government/publications