

**STATUTORY DIRECTION TO NORFOLK COUNTY COUNCIL IN  
RELATION TO CHILDREN'S SERVICES UNDER SECTION 497A(4B) OF  
THE EDUCATION ACT 1996**

WHEREAS:

1. The Secretary of State for Education ("the Secretary of State") has noted in respect of Norfolk County Council ("the Council") that following earlier 'inadequate' judgements for arrangements for the protection of children (February 2013) and for services for looked after children (August 2013), performance in respect of services for looked after children has remained 'inadequate' as detailed in Ofsted's inspection report of 19 October 2015 ("the 2015 Ofsted report").
2. The Council's failure to put in place effective improvement plans to address the weaknesses identified by Ofsted in 2013 led the Secretary of State to issue a statutory direction in December 2013, requiring the Council to take a number of steps to improve the quality of services. The action taken did not, however, result in service improvement to an adequate standard.
3. The Secretary of State has carefully considered the 2015 Ofsted report which found the Council's delivery of children's services, particularly in relation to children looked after, to be 'inadequate'.
4. The Secretary of State is satisfied that the Council is still failing to perform to an adequate standard, some or all of the functions to which section 497A of the Education Act 1996 ("the 1996 Act") is applied by section 50 of the Children Act 2004 ("children's social care functions"), namely:
  - a) social services functions, as defined in the Local Authority Social Services Act 1970, so far as those functions relate to children;
  - b) the functions conferred on the Council under sections 23C to 240 of the Children Act 1989 (so far as not falling within paragraph a. above); and
  - c) the functions conferred on the Council under sections 10, 12, 12C, 120 and 17A of the Children Act 2004.
5. The Secretary of State has appointed Dave Hill as Commissioner for Children's Services in Norfolk ("the Children's Services Commissioner") in accordance with, and for the purposes of, the terms of reference ("the Terms of Reference") set out in the Annex to this direction.
6. The Secretary of State, having considered representations made by the Council, considers it expedient, in accordance with her powers under section 497A(4B) of the Education Act 1996, to direct the Council as set out below in order to ensure that all of the Council's children's social care functions are performed to an adequate standard.

NOW THEREFORE:

7. Pursuant to her powers under section 497A(4B) of the Education Act 1996 Act, the Secretary of State directs the Council as follows:

- a. To comply with any instructions of the Secretary of State or the Children's Services Commissioner in relation to the improvement of the Council's exercise of its children's social care functions and provide such assistance as either the Secretary of State or the Children's Services Commissioner may require;
- b. To co-operate with the Children's Services Commissioner, including on request allowing the Commissioner at all reasonable times access:
  - i. to any premises of the Council;
  - ii. to any document of, or relating to, the Council; and
  - iii. to any employee or member of the Council,

which appears to him to be necessary for achieving the purposes of, and carrying out the responsibilities set out in, the Terms of Reference.

- c. To provide the Children's Services Commissioner with such amenities, services and administrative support as he may reasonably require from time to time for the carrying out of his responsibilities in accordance with the Terms of Reference, including:
  - i. providing officers' time or support;
  - ii. providing office space, meeting rooms or computer facilities;
- d. To co-operate with a Commissioner-led review of children's social care in Norfolk and assessment of the most effective way of securing improvement.

This direction will remain in force until it is revoked by the Secretary of State.

Signed on behalf of the Secretary of State for Education



SUZANNE LUNN

A Senior Civil Servant in the Department for Education

Dated this 7 day of January 2016

## **ANNEX**

### **Relevant Functions**

#### **Commissioner for Children's Services**

#### **Terms of Reference**

In line with the recommendations set out in the Ofsted report of children's social care published on 19 October 2015, the Children's Services Commissioner is expected to take the following steps:

- 1) To support and review the improvement of children's social care in Norfolk County Council.
- 2) To assess the Council's leadership and management capacity, and its capability to drive forward the changes necessary to achieve adequate performance across all areas of the service.
- 3) To make a recommendation to the Secretary of State as to the most effective way of securing and sustaining improvement including, if appropriate, alternative delivery models.

The Commissioner will provide his report to the Secretary of State by 31 March 2016.