



Doncaster Council

Report

Date: 5th March 2018

To the Chair and Members of the CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY PANEL

Summary of the High level quarterly performance challenge meeting of Doncaster Children's Services Trust: Quarter 3 2017/18

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Councillor Nuala Fennelly Cabinet Member for Children, Young People and Schools	All	No

EXECUTIVE SUMMARY

1. This report provides a summary of the business of the High level Quarterly Performance challenge meeting (Quarterly Performance Monitoring) of the Doncaster Children's Services Trust (the 'Trust') in Quarter 3 of 2017/18 and the Extraordinary Quarterly Performance Monitoring meeting of 30th January, 2018

EXEMPT REPORT

2. Not exempt

RECOMMENDATIONS

3. The Panel is asked to:

- Note the content of the report;
- Review with the Director of People the outcomes of the discussions which have www.doncaster.gov.uk

taken place within the Quarterly Performance Monitoring meeting and the next steps;

- Use the information in this report and from the Director of People in order to enhance its understanding of the Trust's improvement journey.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

4. The Overview and Scrutiny function has the potential to impact upon all of the Council's key objectives by holding decision makers to account, reviewing performance and developing policy. This is achieved through making robust recommendations, monitoring performance of the Council and external partners and reviewing issues outside the remit of the Council that have an impact on the residents of the borough.

BACKGROUND

5. The arrangements by which the Trust is held to account are extensive and far reaching – a point reaffirmed by the November 2017 Ofsted Re-inspection of services for children in need of help and protection, children looked after and care leavers, which detailed
'There is an effective relationship between the senior managers from Doncaster council and the trust. The contract between the council and the trust sets out arrangements for quarterly performance monitoring meetings, which are supported by a suite of performance indicators, and an annual review meeting. These arrangements ensure that both the council, including elected representatives, and the trust know well the strengths and areas needing further development in the services for children.'

The requirements specified in the contract (as amended) comprise:

- A performance and finance review meeting on a monthly basis.
- Quarterly Joint Performance and Finance meetings at Chief Executive / Director and Assistant Director level of the Council and Trust; embracing finance and operations as a focus, but including contract monitoring more widely, at which performance is forensically challenged and issues referred for 'deep dive' investigation, or escalated to the high level meeting, should there be any areas of concern.
- A high level Quarterly Performance Monitoring meeting at Chief Officer and non-Executive level, where operational, financial and quality assurance is monitored.
- A requirement placed upon the Director of People to report to the Scrutiny Committee on the Trust's performance twice per annum with the requirement for the Chief Executive of the Trust, or his/her representative, to attend to respond to the issues raised in that report.

Both the Joint Performance and Finance meeting and the High level Quarterly Performance Monitoring share overarching principles to ensure joint leadership and management to improve outcomes and value for money for children and young people across the partnership and thereby ensure robust contract management. Both meetings share principles of collective responsibility, mutual respect and support and a desire to explore opportunities for innovation, best practice and integrated working.

In addition to the regular reporting schedule, the Council called an Extraordinary Quarterly Performance Monitoring Meeting (30th January, 2018) due to significant concerns regarding the financial position of the Trust. The management of those finances raised significant performance issues. A formal notice of concern (as set out in clause 4.1 of schedule 6 of the contract) was issued to the Trust requesting attendance at the Extraordinary Quarterly Performance Monitoring Meeting.

An operational finance meeting was implemented in December 2017 to review and interrogate spend and business plans, following the Extraordinary Quarterly Monitoring meeting this has increased frequency to a monthly meeting to strengthen grip on the financial aspects of the contract.

QUARTERLY PERFORMANCE MONITORING MEETING

6. The next meeting is scheduled to take place on 22nd February 2018, at which the following items will be discussed:

6.1 The re-inspection of services for children in need of help and protection, children looked after and care leavers services in November 2017, judged the Local Authority as 'Good' in all judgement areas. The final version of the re-inspection report was made public and published on the Ofsted website on 19th January, 2018. This judgement marks a seismic shift in the validation of the quality of children's services in Doncaster over the term of the contract.

The Ofsted report cites good support from social workers; that children and young people are at the centre of everything that social workers do; that children are only placed into care when it is their best interests and when other options have been considered; alongside which, adoption services are also 'good'. 'This is the result of the robust and determined leadership, management and governance provided by Doncaster Children's Trust and Doncaster council, in particular by the chief executive of the trust and the director of children's services'

The Quarterly Performance Monitoring will review the indicative outcomes and recommendations from the inspection and report on a regular basis, monitoring progress against the action plans.

6.2 Performance Report

As part of the contract monitoring arrangements indicated above performance is reviewed and challenged and where necessary escalated.

There has been consistent good performance in the following, which will be reported at the Quarterly Performance Monitoring meeting:-

At quarter 3 2016/17 no measures were outside tolerance, and 50% were at or above target performance.

- **Timeliness of Single Assessments**

The Trust states that it continues to set a high standard for assessments and expects case holders to meet these standards. The target for this measure is ambitious and places The Trust above national, regional and strategic neighbours' performance. This may add some delay into the system as below standard assessments will be returned to case holders. Assessment completion shows improvement in this quarter.

- Case File audits – A selected sample of audits were rated as ‘good or outstanding; 50% and 10% in the last quarter, respectively.
The few cases graded as inadequate have improvement action plans in place that are monitored to completion by the Head of Service, with an independent audit within 6 months. The Doncaster Safeguarding Children’s Board receive a regular report of the audited cases from the Trust.
- Children placed on a Child Protection plan for a second time within a two year period;
- Children in care placement stability;
The Trust’s longer term ambition is to rely less upon ‘Out of Area’ placements which will bring some long term placements to a close, providing of course that this is in the child’s best interests. This links to the broader partnership work around the Doncaster Place Plan and vulnerable adolescent’s work stream.
- Care leavers in suitable accommodation;
The last annual outturn (2017) shows Doncaster performance (90%) had improved, and is better than the National and Regional averages.
- The three youth offending measures (those in employment, education and training; custody rates and the reoffending rate), placing Doncaster Youth Offending service in the top 6 performing services in the Country.

The following areas of activity, or performance, continue to be monitored, due to the overarching challenge of high demand pressures within the social care system:

High demand levels have impacted negatively on the timeliness of the social care assessment process, albeit timeliness is still better than all benchmark comparators.

The number and rate of contacts and referrals to the Trust remain high, which has implications for the volume of re-referrals into social care which are showing an increase and which are now higher than all comparator averages. Re-referral rates remain high but reduced in this quarter, and are comparable to last year’s outturn. There is improvement in key areas, for example a reduction in re-referrals where Domestic Abuse Navigators have been involved. However latest, published comparator information has shown some unusual fluctuations in reported referral rates in other Local Authorities, which merit further investigation and consideration when benchmarking.

The vast majority of attention remains focused on the continually increasing number of contacts and referrals to the Front Door. There remains an ongoing problem with rising demand at the front door and its appropriateness for social care – the conversion rate to statutory assessment remains low with few proceeding to a statutory intervention being delivered. A deep dive investigation is being carried out by the Early Help Strategy group into the ‘Step Up / Step Down’ process, to ensure that children receive timely early help support and do not reappear as social care re- referrals. In addition, the partnership has invested resource to improve the application of thresholds where referrals are made.

Further actions have been taken and are underway to mitigate this by funding to deploy a Police triage resource to reduce the high number of contacts from that source although the effectiveness of this post has not been demonstrated

to date. The impact of this post will be reported in quarter 4 when there will be a meaningful dataset regarding the outcomes of assessments triaged through this route

The number and rate of children in need and children in care is reflective of demand pressures, demand in the system is rising nationally and ADCS data shows an increase of 3% and reports that this is the 9th year of rising numbers. All Local Authorities (excluding Leeds) have shown an increase since 2016. The Quarterly Performance Monitoring meeting reported the rising number of Children in Care is not due to poor adoption performance, risk aversion or inappropriate application of thresholds. Ofsted noted 'Adoption services are good. Children are considered for adoption at the earliest opportunity. This early identification enables children to be placed in a permanent placement without delay. Timeliness throughout the service has improved. Some of the adoption reports submitted to the adoption panel are not of a good quality', Other contributing factors are Foster Care proceedings, placing Children in Care where previously there would have been Special Guardianship Order.

The rising rate of Children in Need is against a backdrop of increasing Early Help take up, with 'Neglect' the most prominent presenting issue. However, there is no suggestion of inappropriate application of thresholds, or drift and delay in the system and the number of external validations confirms that practice is not a contributing factor. The recorded 'Primary need' in Doncaster is 'abuse or neglect' which is considerably higher than all other benchmarks; and is not replicated for Early Help. One reason for this is the recent development in recording at Early Help stage and efforts are underway to improve understanding of neglect for EH Practitioners using the Trust toolkit this will be reinforced via training to Lead Practitioners and to the Hub when screening cases to facilitate better enquiry if not already identified.

6.3 Quality and Audit report

The Trust provides a regular audit report on the two strands of case audit activity: - A monthly sample of 50 cases and a thematic audit of additional cases.

There was reduced scheduled audit activity in quarter 3, due to the reinspection of services that took place in November 2017. This resulted in the November case audits being carried forward into December 2017 with no additional audits being allocated for that month. The demands of the inspection also impacted on the thematic audits due to take place in the period so that only one took place in the period. During the quarter, 92 audits have been completed. This is as a result of one month's audits not being undertaken because of the inspection.

Performance information is collated and in this quarter shows a slight dip in performance compared with the second quarter of 2017/18. Encouragingly, outstanding cases continue to be identified throughout the quarter. The percentage of good or better cases over the quarter has decreased from 64.3% in quarter 2 to 60% in quarter 3. The figures were brought down by October's results with December's figures improving again to 61.9%.

The case file audits identified the areas of good and outstanding practice, the quality of the case recordings was generally of a high standard. A small number of cases that were graded inadequate in the quarter were characterised for example by plans not having clear objectives that fully addressed concerns, the child's voice not being properly evidenced, visits not being undertaken in timescale, evidence of some drift and delay in planning for children and supervision not evidencing reflective thinking and challenge.

6.4. Finance, including financial sustainability

At Q3 the Trust are projecting an overspend of £2.98m, which is an increase of £1.35m from £1.63m at Q2. £2.60m of this pressure is due to more children in care (42 more in the Care Ladder) and the cost of more complex cases. This includes £2.05m overspend on the Care Ladder covering Out of Authority (OOA) placements and £0.62m in respect of 18+ accommodation and CIC transition accommodation. The overspend on the Care Ladder has increased by £1.11m; this includes an increase to the OOA overspend of £0.5m due to increased growth, movements in the care ladder taking place later than planned and changes to packages, and other areas e.g. In-house Residential Homes.

Since Q2 the Council has funded £1.65m of business cases submitted by the Trust of which £0.41m will be funded from DSG for additional educational costs of OOA placements, giving a net total of £1.24m. After this adjustment, the remaining overspend is the £1.35m swing from Q2 to Q3 of which, under the 70/30 risk share agreement, the council is liable to fund a further £0.94m, therefore the total overspend to the Council is £2.18m. The Trust's reserves are £0.07m which means they will be unable to fully fund their 30% of the overspend, therefore it is assumed that the Council will meet the shortfall of £0.33m from general reserves in 2017/18.

The financial position is a potential risk to continuous performance improvement. To mitigate this and ensure service improvement is sustained and protected over the longer term, monthly financial monitoring will be implemented. This will provide increased transparency of the financial position and will include more detailed information on the Care Ladder in particular movements in numbers and price by placement type and any income contributions.

The Trust's own engagement of CIPFA in August 2017 to undertake an independent review of its financial management in February/March 2018 is welcomed in supporting the measures outlined above and it is envisaged that this will help further embed sustained improvement.

The Council agreed funding of £2.39m over the next three years to cover the Trust's supplementary resource requirements for "getting to good", continuation of the Growing Futures, Pause and Mockingbird approaches to work (Mockingbird has also successfully secured DfE funding). At the Joint Performance and Finance meeting the Trust presented a benefits realisation framework, which will enable the group to monitor the impact of the additional funding on the outcomes. In 2017/18 the Trust are projecting to draw down £1.18m of the funding.

The Trust have shared with senior Council Officers their Medium Term Financial Strategy (MTFS) detailing cost pressures and efficiency proposals to achieve the £4.5m savings target over the next 3 years. This includes care ladder financial modelling for 2018/19 onwards which sets out when children will naturally transfer out of the system, forecast growth for future years and movement on the care ladder etc. A review of the Trust's Medium Term Financial Strategy is required in light of the increased pressures on placements in 2017/18 to confirm financial sustainability for 2018/19 onwards.

The Trust has produced a Capital Strategy and additional capital investment will be included in the Capital Programme for 2018/19 to 2020/21.

ANNUAL CONTRACT REVIEW

Due to the Ofsted inspection taking place during the timeframe for the Annual Contract Review process; at the Quarterly Performance Monitoring meeting on 29th November 2017 it was agreed to request an extension for the report submission. A draft Annual Report was subsequently provided at the end of December 2017 for consideration by The Trust. A requested extension was submitted to the Secretary of State with a revised submission date confirmed as 8th January 2018. This was to allow for content to be included from the Ofsted inspection November 2017.

However, a further approval for later submission by Department for Education (DfE) was granted following contact with the Council CEO and with reference to an extraordinary Quarterly Performance Board Meeting on 30th January 2018 to consider the quarter 3 financial position. The report was subsequently submitted on 8th February 2018.

The Annual Contract review detailed recognition of the key improvements in the quality and standards of practice which have led to 'Getting to Good' in November 2017, but additionally highlighted a number of risks and challenges linked to the financial position and future sustainability of the Trust. These have in turn exposed the Council to enhanced financial risk. Consequently, the Council has agreed that the Trust will provide further assurance and risk mitigation by the development of a sustainable Business Plan. High level strategic fortnightly meetings have been implemented to review the position for April 2018.

Next steps from the Annual Contract review detailed that work is currently underway and ongoing to address the following actions:

- The Council to comment on the Terms of Reference for the Trust's recently commissioned external audit, with the expectation that legitimate comments/amendments are acted upon by the Trust, given that this is the source of resource decisions and overspend.
- The Council to review and agree the Terms of Reference for the Trust's Resource Panel. This will enable a joint commissioning process led by the Trust but open to challenge by the Council with a clear link between Trust

commissioning decisions and Joint Resource Panel. This will include comment and agreement of a pre-panel process which will act as moderation for all placement decisions, to highlight points for escalation, trends and form a monthly rolling financial projection. A Joint Commissioning protocol will be developed which enables a framework for challenges against value for money, options considered on sampled placements, to be set and provide assurance. This could include a conflict resolution clause to clarify roles and escalation, by exception, where consensus was not arrived at.

- Review the Terms of Reference for Joint Performance and Finance meetings and the Quarterly Performance Monitoring meetings for robustness, to ensure the meeting covers both a review of last quarter's performance and finance and future predictions, to reflect a monthly real position.
- To introduce monthly operational finance monitoring meetings with an open view of management accounts, including individual children's care packages.
- To introduce an intervention that allows for the challenge of business processes relating to all commissioning decisions, via the introduction of monthly operational meetings.
- In addition to the establishment of a monthly Finance Operational Group, a core strategic group to be established to review and progress a sustainable business model and associated company structure. The core membership will consist of Senior Officers.
- Service and contract reviews identified as part of the Quarterly Performance Monitoring process will be scheduled as part of the annual review plan. This will include reviews of the services that have previously transferred from Doncaster Council to the Trust (Children with Disability service and Family Support service). The findings from these reviews will allow for benchmarking and to review performance indicators for these services within the next year
- Alignment of Doncaster Children's Safeguarding Board in line with developments in Children and Adults Services, the Children and Young People's Plan and the Caring Programme within the Doncaster Growing Together Programme

The action plan following the re-inspection by Ofsted in November 2017 will include the following recommendations:-

1. Ensure that all social workers receive high-quality supervision which is recorded in a timely manner.
2. Ensure assessments and plans and subsequent actions are completed to the trust's standards for all children.
3. Continue to improve the availability of local placement options and ensure that national guidance is followed when placing children.
4. Ensure that all children looked after and care leavers have easy access to leisure facilities.

These actions will be addressed at appropriate meetings within the annual governance arrangements detailed in point 5.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

8.

	Outcomes	Implications
	<p>Doncaster Working: Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> • Better access to good fulfilling work • Doncaster businesses are supported to flourish • Inward Investment 	<p>The Council and the Trust as major partners in the Children and Families Partnership Board share the Children’s plan outcome that all children should achieve their potential – in removing barriers and developing good quality service delivery children will be able to access the benefits of a thriving economy and will themselves be participants in creating and sustaining the strength of the economy.</p>
	<p>Doncaster Living: Our vision is for Doncaster’s people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> • The town centres are the beating heart of Doncaster • More people can live in a good quality, affordable home • Healthy and Vibrant Communities through Physical Activity and Sport • Everyone takes responsibility for keeping Doncaster Clean • Building on our cultural, artistic and sporting heritage 	<p>Delivering against the service delivery contract between the Council and the Trust has clear implications for safeguarding communities, in reducing risk and exposure of risk to children; improved early help and thus better outcomes for families.</p>
	<p>Doncaster Learning: Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> • Every child has life-changing learning experiences within and beyond school • Many more great teachers work in Doncaster Schools that are good or better • Learning in Doncaster prepares young people for the world of work 	<p>The role of the Virtual school in the education provision for looked after children has ensured Doncaster Children in Care have achieved well against most of the Department for Education’s published measures.</p>

	<p>Doncaster Caring: Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> • Children have the best start in life • Vulnerable families and individuals have support from someone they trust • Older people can live well and independently in their own homes 	<p>Ensuring children and young people are free and feel from harm are key ambitions of both the Council and the Trust.</p>
	<p>Connected Council:</p> <ul style="list-style-type: none"> • A modern, efficient and flexible workforce • Modern, accessible customer interactions • Operating within our resources and delivering value for money • A co-ordinated, whole person, whole life focus on the needs and aspirations of residents • Building community resilience and self-reliance by connecting community assets and strengths • Working with our partners and residents to provide effective leadership and governance 	<p>Ofsted, in its inspection report commented favourably on the relationship and governance arrangements between the Council and the Trust, recognising that formal arrangements for monitoring and challenge exceed the requirements set out in the contract between the two organisations.</p>

RISKS AND ASSUMPTIONS

9. Strategic Risk SR 14 provides an overall assessment as to the safety and risk of harm for children and young people in need of help and protection in the borough and thereby the likelihood of an 'Inadequate inspection' occurring.
10. Children's services (save for a small element of the inspection of training provision by the Council) remains the only statutorily inspected area of commissioning and delivery and is the most regulated of all Local authority services being subject to either, singly, or jointly, no less than seven inspection frameworks. This in itself provides an additional layer of risk management, via assessment, challenge and assurance, which is not replicated for other Council services.

LEGAL IMPLICATIONS [Officer Initials KDW Date 20.218)

12. In September 2014, the Secretary of State for Education issued a Direction transferring various children's services to Doncaster Children's Trust Limited ("the Trust"). Although the Trust performs Services on behalf of the Council,

the legal powers and duties in relation to safeguarding children remain with the Council and court proceedings continue to be brought in the name of the Council.

13. On 30th September 2014, the Council entered into a contract with the Trust governing the provision of services by the Trust. The contract with the Trust contains various monitoring powers so that that the Council can assure itself that services are being delivered correctly.

Since 2014 further services have also been transferred into the Trust including support for Children with Disabilities and Early Help.

FINANCIAL IMPLICATIONS [Officer Initials AB Date 20/02/2018]

11. Doncaster Children's Services Trust's current financial position is outlined in section 6.4. The financial position of the Trust is having a serious and detrimental impact on the finances of the Council as a whole and monthly financial monitoring will be implemented. This will provide increased transparency of the financial position and will include more detailed information on the care ladder in particular movements in numbers and price by placement type.

HUMAN RESOURCES IMPLICATIONS [Officer Initials MLV Date 20/02/18]

12. Whilst there are no specific HR implications related to the contents of this report it is possible that some may arise as a result of issues that are detailed. Any HR implications which arise due to actions taken in relation to the contents of this report should be addressed at the appropriate time through relevant reports and governance arrangements.

TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 20/02/18]

13. There are no specific technology implications in relation to this report

HEALTH IMPLICATIONS [Officer Initials VJ Date 21/02/2018]

14. The choices the council makes with regard to children and young people will impact the health of the borough not only now but also in the future. In general 20% of what contributes to health is due to clinical care, 30% due to behavioural factors, 40% due to socio-economic factors and 10% due to the built environment. Doncaster Children's Services Trust (DCST) provides an important contribution to the health and wellbeing of vulnerable children, young people and their families in Doncaster. Decision makers will need to consider how the performance (including financial performance) impacts on the health and wellbeing outcomes of this group, whilst at the same time considering how the financial performance of DCST may impact on ability of the rest of the system to impact positively on the health and wellbeing of children, as resources may need diverting from other areas to address the budget pressure. A better understanding of the costs and benefits of the local approaches used to improve children and young people's health and wellbeing may help decision making within a finite budget.

The action plan agreed following the inspection by OFSTED in November 2017 needs to be monitored on its impact on the quality of care and the impacts on children and young people. Physical activity for looked after children is likely to have positive impact on the health of these children.

The long term implications on health and health inequalities will need to be monitored by the provider and advice is available from the Public Health team.

EQUALITY IMPLICATIONS [Officer Initials AH Date 19/02/18]

15. Whilst there are no direct implications, the support to vulnerable young people in Doncaster are indirect and promote equality of opportunity. The work of the Trust supports these vulnerable young people

CONSULTATION

16. N/A

BACKGROUND PAPERS

17. None

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