ABRAVE NEW WORLD

IS INSPECTION IMPROVING CHILDREN'S SERVICES?





ACKNOWLEDGEMENTS

This report was commissioned from iMPOWER by the Local Government Association on behalf of the Children's Improvement Board.

Special thanks are due to the following people for giving their time and advice on the issues raised in this report:

Julian Wooster, Somerset County Council Gladys Rhodes-White, Manchester City Council Paul Boyce, Knowsley Council Ian Smith, London Borough of Lambeth Alastair Gibbons, Birmingham City Council Clive Harris, LGA Colin Green (Former DCS)

Also, we would like to thank all of those who took the time to be a part of our scoring survey and research actions.

ABOUT US

The Local Government Association

The Local Government Association (LGA) is the national voice of local government. We work with councils to support, promote and improve local government.

We are a politically-led, cross party organisation which works on behalf of councils to ensure local government has a strong, credible voice with national government. We aim to influence and set the political agenda on the issues that matter to councils so they are able to deliver local solutions to national problems. The LGA covers every part of England and Wales, supporting local government as the most efficient and accountable part of the public sector.

iMPOWER Consulting

iMPOWER exists to reform public services, build a new theory of change in the public sector and to provide a platform for some of the best and brightest people working in public services to affect real change and improve lives.

We are a 60 strong team and are the UK's pre-eminent children's and adult's social care transformation specialists, the leading practitioners of behavioural change approaches in local government and the NHS and one of the fastest growing consultancies in public services.

Acknowledgements

EXECUTIVE SUMMARY

One of Ofsted's central roles is to "help providers that are not yet of a good standard to improve". The LGA commissioned iMPOWER Consulting to look at the evidence to see how far the current Ofsted Single Inspection Framework is helping to drive improvement in council children's services.

The analysis undertaken for this report suggests that the regulator is falling significantly short of achieving its stated purpose and is, inadvertently, creating an environment in which it is becoming increasingly difficult for authorities to make the necessary improvements to deliver better services.

The decline over the last eight years in the inspection performance of local authorities has been astounding. According to Ofsted's 2007/08 Annual Report¹, 69% of councils inspected were considered 'Good', 22% 'Adequate' and 9% 'Outstanding'. Not a single authority inspected was considered 'Inadequate'. Today the world looks a very different place: 28% councils are rated as 'Inadequate', 55% 'Requiring Improvement' and 18% considered 'Good'². Not a single council has been rated as 'Outstanding' in the last two and half years and the most recent authority to receive this grade has only this year seen itself fall into the inadequate category. If this trajectory is maintained, and Ofsted completes its inspections to timetable, 38 councils will be judged inadequate and subject to DfE intervention by April 2017.

Whilst the decline in ratings is itself of concern, a potentially more worrying issue is the speed at which authorities seem able to respond and turnaround performance failings. Of the 86 councils inspected³ twice or more since 2010, approximately 25% of those rated as inadequate in 2010 remained inadequate over the five year period, and 56% of those requiring improvement/considered satisfactory in 2010 maintained that rating on re-inspection.

This is counter to what many other sectors experience when there is a fluctuation away from the average. In schools inspections⁴ for example, we see a fairly quick turnaround of poor performance when they have received an inadequate rating as they move back in line with the mean. In children's services, a very different pattern emerges.

Using a sample of 29 councils inspected in the year 2013, we assessed their service performance across a three year time frame by comparing performance in 2012 - pre inspection - and 2014 - post inspection. Contrary to what we would typically expect to see, the post inspection performance of those councils rated inadequate suffered an accelerated decline still further away from the average. In other words, their performance declined, rather than improved following inspection.

An inadequate rating would therefore appear to be a catalyst for driving even poorer performance and in effect creating a barrier to improvement. Sadly, for a number of authorities, these barriers appear to be proving insurmountable, or at least insurmountable in any timescale that might be considered acceptable.

For many, the judgement 'Requires Improvement', rather than being a catalyst for helping to deliver improvements to services, is becoming the trap door locking behind councils and leaving them there in perpetuity.

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¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/248394/1114.pdf

² Drawn from Ofsted data and published reports - https://www.gov.uk/government/statistics/official-statistics-local-authority-childrens-services-inspections-and-outcomes/ https://www.gov.uk/government/collections/ofsted-annual-reports#2008-09

³ Drawn from Ofsted data and published reports - https://www.gov.uk/government/statistics/official-statistics-local-authority-childrens-services-inspections-and-outcomes/ https://www.gov.uk/government/collections/ofsted-annual-reports#2008-09 4 http://cep.lse.ac.uk/pubs/download/cp358.pdf

As public sector spending pressures continue to bite it's also important to consider the actual cost of delivering performance turnaround as no doubt this will form part of the barriers to improvement that we see being created. There is no definitive audited figure put on the cost of improvement but Directors' responses as part of this research ranged from £3million to over £10million⁵. If we take the lowest suggested estimate of £3million and examine the average number of inadequate ratings given per year (10)⁶ the total cost of "failed" inspections across the system could be around £30million a year. Given £3million is an estimate at the lower end of the cost scales involved council by council, the cost of recovery, averaged out, could likely be more.

One interviewee stated that to their mind there was "no doubt that the cost of an inadequate is a seven figure sum" and that this did not include the "significant investments made in anticipation of an inspection" as a locality prepares to do its best against the inspection framework. The messages we have consistently been given about the costs associated with both inspection and the impact of a negative judgement following one, have been consistent across all the Directors of Children's Services interviewed for this research. It is interesting to note that the term "an industry" was used by more than one to describe the current children's services inspection system.

The question that remains unsatisfactorily answered as part of this research is whether the Ofsted inspection framework is providing a true reflection of performance in children's services. Certainly, there are a sizeable number of voices within the sector who are questioning the credibility of Ofsted's ratings as valid proxies for assessing the performance in children's services. Certainly whilst the ratings point to a pretty catastrophic drop in performance as judged by inspection even the inspectors have themselves acknowledged they could not tell⁸ definitively if things are actually getting better or worse.

Professional expertise and statistical analysis is clearly pointing to things not being right. And, even if, Ofsted is right in its judgements, clearly its aim of helping the sector improve is not being delivered. There is now an overwhelming case to immediately review how performance is judged and inspection is managed before the sector is pushed even further into new delivery models to try and solve a perceived entrenched performance issue that may not actually be quite as bad as it would appear.

The confidence in the current system of inspection is low. In contrast the positivity about the role sector-led improvement can play is palpable. This report clearly lays out, particularly supported by our scoring survey evidence, that local authorities want a stronger and more decisive role for sector-led improvement.

The data appears to show that inspection is not driving improvement – quite the opposite. The capacity of councils and Ofsted to sustain an expensive system of inspection and high levels of DfE intervention which does not produce results is not sustainable. At a time of shrinking budgets urgent consideration needs to be given by the LGA, ADCS, Solace, Ofsted and the DfE to reform the current balance of inspection, intervention and sector-led improvement

Executive summary

⁵ Whilst each director gave a different estimated cost based on their own experience, all Directors agreed it was a seven figure sum

⁶ There were 48 inadequate ratings given out between April 2010 and March 2015 – this averages out at 9.6 per year – we have rounded up to 10

⁷ Interview with LA DCS

⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/379242/Social_20Care_20Annual_20Report_20201213.pdf

1DOES INSPECTION DRIVE IMPROVEMENT?

If anyone says to you that staff morale is at an all-time low, you know you are doing something right."

Sir Michael Wilshaw, Her Majesty's Chief Inspector, Ofsted

The medium term decline in the inspection performance of local authorities has been astounding. According to Ofsted's own 2007/08 Annual Report⁹ 69% of councils inspected were considered 'Good', 22% 'Adequate' and 9% 'Outstanding'. Not a single authority inspected was considered 'Inadequate'. Fast forward eight years and the world looks a very different place: 28% rated as 'Inadequate', 55% 'Requiring Improvement' and 18% considered 'Good'¹⁰. Not a single council has been rated as 'Outstanding' in the last two and half years and the most recent authority to receive this grade has only this year seen itself fall into the inadequate category. When interviewed one Director of Children's Services described this swing as "just short of barely believable"¹¹. It would therefore seem that contrary to Sir Michael Wilshaw's view above, morale is low and performance isn't getting better which would suggest we are not doing something right and perhaps we need to think about a different way to approach improvement.

In providing the context for the rest of this report we first seek to answer the fundamental question; does inspection drive improvement?

In laying out the wider sectoral trends in children's services inspections our judgements on both (a) individual experiences of inspection and the impact on performance and (b) the recommendations for how we need to 'do improvement' going forward have been shaped by more than just isolated examples and have instead, focussed on how to address these issues at a system-wide level.

WHAT'S ACTUALLY BEEN HAPPENING?

1. Inspection judgements have been declining for longer than many would think
It has been said that the introduction of the Single Inspection Framework (SIF) in 2012, when
"inspections became tougher", is the point at which performance against inspection began to
decline¹³. This is only partially true. Whilst the introduction of inspections undertaken using the SIF
did have a significant impact, the broader trend of decline had already been established. By 2010/11
the number of 'Good' ratings being handed out per year had fallen since 2007/08 from 69% to 46%
and the number of 'Adequate/RI' ratings had risen from 22% to 41%. Clearly the strength of an
independent inspection process is to shine a spotlight on issues and in effect hold a mirror up to the
sector and drive improvement. The stark decline in ratings must, however, require a more
sophisticated response than simply making single word judgements that condemns the majority of
councils into the Inadequate/RI bracket, particularly when inspectors have themselves
acknowledged they could not tell¹⁴ definitively if things are actually getting better or worse.

However, rather than seeking to triangulate the inspection findings with other sources of information which may have helped answer the question 'are things getting better or worse?' we have simply seen more SIF inspections take place and these have been relied on to paint a picture of performance across the sector that has had a number of unintended, potentially damaging consequences¹⁵.

Does inspection drive improvement?

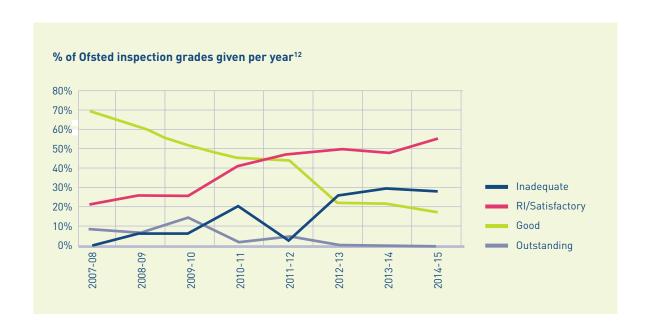
⁹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/248394/1114.pdf

¹⁰ Drawn from Ofsted data and published reports - https://www.gov.uk/government/statistics/official-statistics-local-authority-childrens-services-inspections-and-outcomes/ https://www.gov.uk/government/collections/ofsted-annual-reports#2008-09
11 Interview with LA DCS

¹² Drawn from Ofsted data and published reports - https://www.gov.uk/government/statistics/official-statistics-local-authority-childrens-services-inspections-and-outcomes/ https://www.gov.uk/government/collections/ofsted-annual-reports#2008-09 (NB – pre 2010 data based on Ofsted Annual Reports – post 2010 data based on Ofsted online library of every LA)

¹³ http://www.communitycare.co.uk/2012/07/12/concerns-over-tougher-ofsted-inspection-regime/

¹⁴ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/379242/Social_20Care_20Annual_20Report_20201213.pdf 15 We acknowledge that different inspection frameworks have existed over the last decade but for the purposes of exploring the trend we have focused on the end outcome judgements



2. The obsolescence of the 'Outstanding' rating appears to have arrived

Nearly two and a half years since the last 'outstanding' rating was given, and acknowledging the general trend in grades in inspections, it appears unlikely that we will suddenly begin to see many authorities being awarded an 'Outstanding'. This observation reflects the opinions of senior leaders within the sector: "They come in looking for something bad. If it's not something they can actually find, they'll find the threat of something that hasn't happened that you haven't adequately assessed, or at least assessed in the way they think it should be. If they want to get you, they'll find a way" 16. Regardless of whether this could be placed into the 'paranoid perception' box there are enough people holding this view to make it something worth acknowledging and addressing. That this is a damaging set of beliefs for DCSs (Director of Children's Services) and their senior teams to hold goes without saying. That it runs the risk of opening Ofsted to responses of disbelief and distrust from those it is inspecting, is a still greater concern.

This gradual deterioration in performance in children's services, or more accurately their performance in the small number of their functions actually judged by the inspection grading, has had the effect of creating what economists would call 'structural decline.' The parameters of the cohort being inspected (i.e. councils) appears to have shifted to no longer including an outstanding judgement as an attainable goal. The effect has been to make it ever harder for councils to progress upwards, with increasing numbers of councils occupying the "Inadequate" and "Requires Improvement" judgement brackets.

16 Interview with LA DCS

3. It's getting harder to break the lock

Of the 86 councils inspected¹⁷ twice or more since 2010, nearly as many have become Inadequate (16) as have moved out of that category towards a Good grade (18). 33% of those 86 local authorities remained graded as either Inadequate (5) or Requires Improvement (23) over the course of the five year period. This is not surprising given the long term declining trend in inspection judgements across the sector. What is more concerning is the limited movement from the cohort of 'Requires Improvement' and 'Inadequate' grade categories into 'Good'.

From these 86, approximately 25% of those rated as Inadequate in 2010 remained inadequate over the five year period, and 56% of those Requiring Improvement in 2010 maintained that rating on re-inspection. When combined with the conception that services are in structural decline, this pattern creates a sense that the judgement 'Requires Improvement' is becoming the trap door locking behind councils as they suffer a performance drop.

4. We are starting to see evidence that councils are being graded on a standard distribution curve Prior to 2012/13 (using data from 07/08 – 11/12) we see statistical variations in the number of ratings given, expressed as a percentage each year¹⁸. Despite long term deterioration in the grades given, there are clear fluctuations in pace, and occasional off-trend spikes such as the 2009/10 uplift in 'Outstanding' rated councils and the 2011/12 decline in 'Inadequate' ratings.

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	Inadequate	RI/Satisfactory	Good	Outstanding
2007/08	0%	22%	69%	9%
2008/09	6%	26%	61%	7%
2009/10	7%	26%	52%	15%
2010/11	21%	41%	46%	3%
2011/12	3%	47%	44%	5%
2012/13	26%	50%	22%	1%
2013/14	30%	48%	22%	0%
2014/15	28%	55%	18%	0%

From 2012/13 we begin to see a higher level of consistency in the percentages of gradings given each year. Whilst this could simply be a reflection of the performance of those councils inspected it is neither reflected in the five years prior, nor replicated in other selected three year stretches.

¹⁷ Drawn from Ofsted data and published reports - https://www.gov.uk/government/statistics/official-statistics-local-authority-childrens-services-inspections-and-outcomes/ https://www.gov.uk/government/collections/ofsted-annual-reports#2008-09

¹⁸ These variations would be expected as a result of the change in councils being inspected, the change in inspectors conducting the field work and other variables, such as different personnel being inspected, change in children using services, different historical starting points of the council being inspected.

¹⁹ Drawn from Ofsted data and published reports - https://www.gov.uk/government/statistics/official-statistics-local-authority-childrens-services-inspections-and-outcomes/ https://www.gov.uk/government/collections/ofsted-annual-reports#2008-09



The above chart shows significant variation in two sequential three year cycles, with the latter flattening out at average yearly variation by a grade of 2.5% compared to the former cycle's 9.4%. Anecdotally there has been a suspicion, expressed by some Directors of Children's Services, that local authorities have been graded on a simple norm referenced, rather than a more valid and contextually relevant criterion referenced, mathematical distribution curve. "I couldn't say for certain but there are a lot of people who believe this to be the case." Whilst this suspicion is far from conclusive proof that services are indeed being graded on a curve, this data suggests that it could be happening.

5. So does it drive improvement?

According to one Children's Services Director, at its best "inspection acts as the link between the recent performance of a service and the future improvement it needs to make" Despite all of the interviewed Directors of Children's Services being supportive of and understanding the need for both independent external audit and inspection and the robust impartial role it should play in ensuring accountability, none who were interviewed for this study or responded to our call for evidence considered that as currently configured, it effectively or consistently drives - or in some cases indeed contributes to – continued improvement.

Many of those interviewed pointed to the individual impact on services as a core reason for their holding trenchant critical views. Their argument was that the impact of inspection makes it difficult to gear up for real sustained improvement (for example, getting the right staffing, sorting out any service consistency and quality issues, rectifying leadership failures, etc...) based on an Ofsted intervention alone, before inspectors come back in to inspect again. The fact that so many authorities are now judged to be falling back in their performance as defined by inspection, and have been doing so for some time, suggests that this view from members of the Director community holds some merit. Certainly it bears further scrutiny.

The structural decline in children's services as judged by inspections in the last eight years discussed in this section suggests that inspection has neither actively nor positively been driving improvement. The important question now is why?

²⁰ Drawn from Ofsted data and published reports - https://www.gov.uk/government/statistics/official-statistics-local-authority-childrens-services-inspections-and-outcomes/ https://www.gov.uk/government/collections/ofsted-annual-reports#2008-09 21, 22 Interview with LA DCS

2 THE IMPACT OF INSPECTION IS MAKING IMPROVEMENT INCREASINGLY DIFFICULT

Rubbish councils are subject to the resignation or sackings of senior members and officers, vilification in the media and the demoralisation and exit of hard-to-recruit social workers. How does this drive improvement? Councils then start their 'improvement journey' with one arm tied behind their backs due to turbulent leadership, an over-reliance on agency social workers and an obsessive need to prove that things are getting better with limited capacity to effect real change."

Jo Miller, Chief Executive, Doncaster Council

To economists and financiers the theory of 'mean reversion' will be commonly understood terminology but perhaps less so too many children's services practitioners. The term's most common usage is in relation to stock price performance. On the face of it, this is a relatively simple concept. Mean reversion argues that prices and performance will tend to move toward the average following any fluctuation²³. The effect is not limited to financial markets. Research shows it at work in a range of other areas, for example in patterns of schools inspections²⁴ and accounts of personal performance at work²⁵. When, as part of our methodology, we took a sample of 29 councils all inspected in the year 2013 and assessed their service performance across a three year time frame by comparing performance in 2012 - pre inspection - and 2014 - post inspection, we could reasonably expect to see this mean reversion effect in action. The findings, however, all based on examining publicly available data, have defied our expectations. The relative deterioration experienced by those most in need of support, that is those found Inadequate by Ofsted, was more severe and moved further downward than a simple reversion to a notional sector mean would have had us expect. Their post inspection performance, in fact, can be seen to have suffered an accelerated decline still further away from that average.

THE GROWING DIVIDE

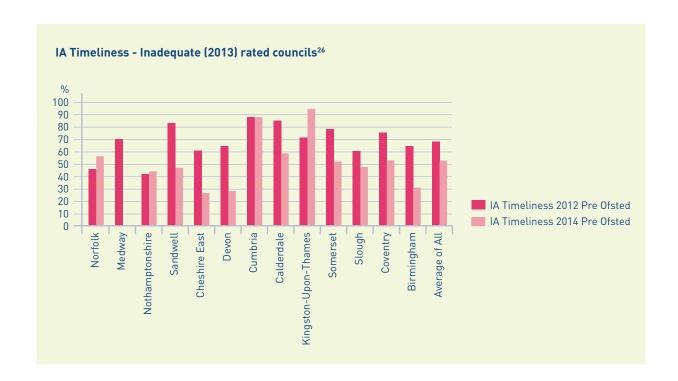
Those most in need of support suffer disproportionately to the rest

One of the key aims of our research was to understand what the impact of an inspection is on those councils Ofsted has rated as Inadequate. To explore this effectively we also needed to understand the impact on those who were not given this judgement. Drawing from a number of published data sets from a large sample of authorities inspected in 2013 reflecting both their performance and quality of those services Ofsted inspected, (timeliness of an initial assessment, timeliness of CP reviews, referrals per 10,000 children and CP per 10,000 children) we found that on average all councils regardless of grading given suffered a decline, in these key inspected indicators, in the year following an inspection compared to the year before it. Far from returning to average performance against these indicators following an inspection, those councils rated as Inadequate, based on the same data, suffered an accelerated deterioration against the average.

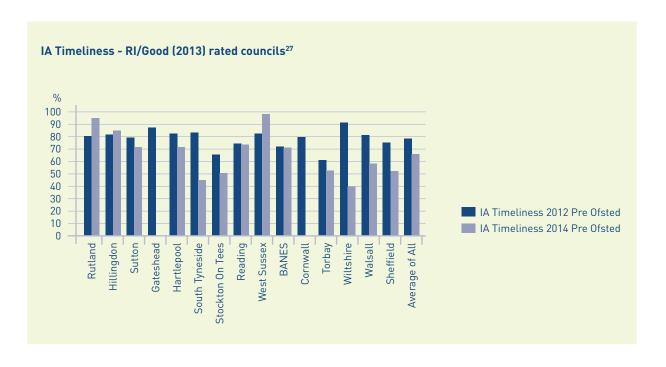
²³ https://www.cis.upenn.edu/~mkearns/papers/marketmaking.pdf

²⁴ http://cep.lse.ac.uk/pubs/download/cp358.pdf

²⁵ http://www.hekblog.com/2013/09/25/what-to-do-with-underperforming-managers/

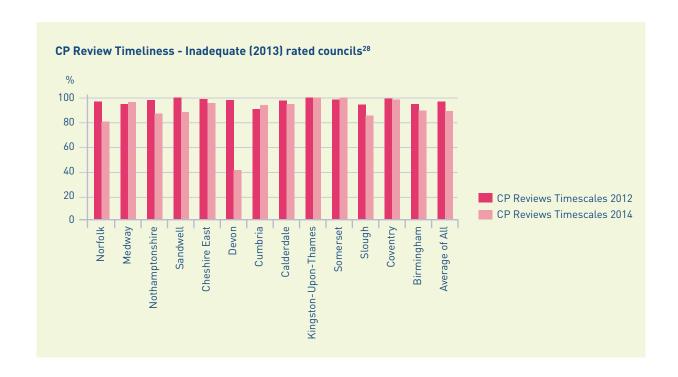


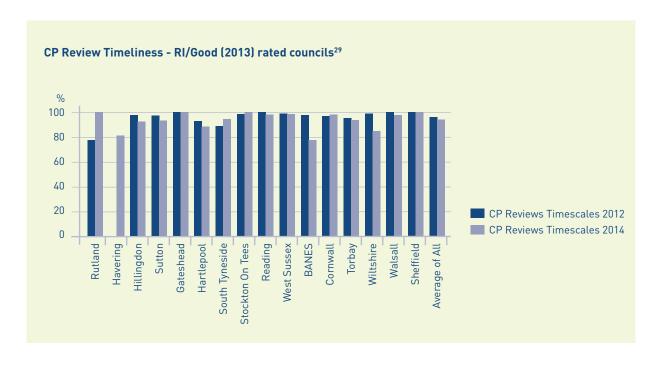
For those councils rated as Inadequate in 2013, average initial assessment timeliness deteriorated by 15.89%, from 68.62% in the year prior to inspection (2012) to 52.63% in the post inspection year (2014). The authorities rated as RI or Good suffered an average drop of 11.32%, down from 78.27% in 2012 to 66.15% in 2014.



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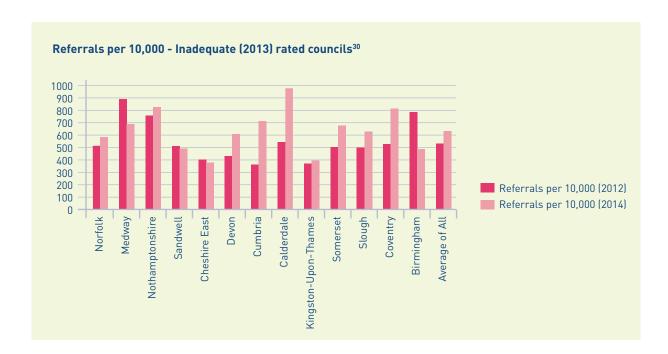
The trend in timeliness of Child Protection Reviews, another key performance indicator in Ofsted's sights, follows a similar pattern. All councils on average see a performance decline, but the fall for those judged inadequate by Ofsted was more severe, dropping by 8.62% following an inspection compared to an average deterioration of 1.99% for all other authorities.

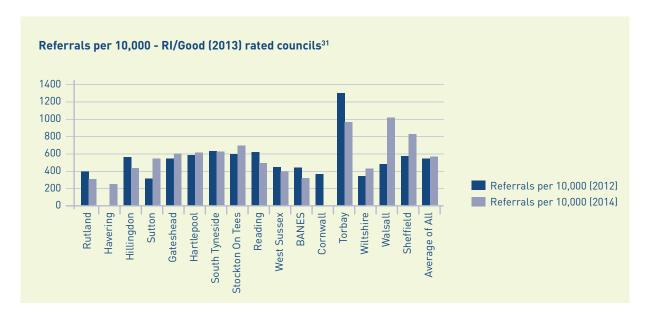




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The gap seen in performance declination between Inadequate-rated councils and the rest for these two indicators (timeliness of IA and CP Reviews) is also mirrored, and given the weight of data we conclude the decline is likely to be linked to rising demand entering the system after an authority's Inadequate Ofsted judgement. Following an inspection, Inadequate-rated authorities' referrals per 10,000 children jumped an average of 94.7 compared to an average jump of 31.39 for the rest. This is compounded by the fact that the entire 2013 cohort started out in line with the national average for referrals in 2012, but diverged sharply from them after inspection, their decline being in line with the respective ratings given authority by authority. By 2014, RI/Good rated councils continued to track the national average, whereas Inadequate-rated councils suffered an accelerated decline against it.





 $30\ https://www.gov.uk/government/publications/local-authority-interactive-tool-lait 31\ https://www.gov.uk/government/publications/local-authority-interactive-tool-lait 31\$

The knock-on effect seen here also impacts on the numbers of CP (child protection) cases per 10,000 with Inadequate-rated authorities seeing this jump on average by 9.68, compared with a rise of only 2.46 for the rest of our sample cohort of authorities³².

Overall the data we have examined for this research clearly identifies a disproportionate impact of a negative Ofsted inspection grading, on the authorities which can least afford a decline in performance, or a rise in demand when they are also striving to put right what inspection has found to be at fault.

The financial cost to the local authority can be huge

One Director of Children's Services interviewed for this research said that their council's "failed" inspection resulted in additional expenditure of £6million³³. This included new recruitment costs, could include the costs of moving people out of the organisation both legally and with some professional dignity, and the enhanced costs of interim staff and agency workers' fees. It also included the costs of improvement support, whether from within the council and its partners or external organisations. Issues such as publicising the council's gains or qualities for a doubtful public, and other unforeseen costs, also apply. When questioned about the financial costs of "failed" inspections, Directors' responses, taking all these elements into account, ranged from £3million to over £10million³⁴. If we take the lowest suggested estimate of £3million and examine the average number of inadequate ratings given per year (10)35 the total cost of "failed" inspections across the system could be around £30million a year. Given £3million is an estimate at the lower end of the cost scales involved local authority by local authority, the cost of recovery, averaged out, is probably more.

One interviewee stated that to their mind there was "no doubt that the cost of an Inadequate is a seven figure sum" and that this did not include the "significant investments made in anticipation of an inspection"36 as a locality prepares to do its best against the inspection framework. The messages we have been given about the costs associated with both inspection and the impact of a negative judgement following one, have been consistent across all the Directors of Children's Services interviewed for this research. It is interesting to note that the term "an industry" was used by more than one to describe what the financial burdens and additional work of inspection had become.

Confidence collapses as authorities judged inadequate become caught between the trauma of being judged a failure, and the need to prove they are improving

Research conducted this year (2015) by Queen's University, Belfast, and Community Care has identified and described a children's social care workforce on the brink of complete burnout³⁷ with 91% of social workers reporting either 'high' (73%) or 'moderate' (18%) levels³⁸ of "emotional exhaustion". The most recent "state of the sector" report by the British Association of Social Workers similarly acknowledged a sector which feels, and in some places is seen to be, beset by low morale and disillusionment with the system. This is a negative climate, within which this crucial workforce tries to operate³⁹.

The impact of inspection is making improvement increasingly difficult

³² https://www.gov.uk/government/publications/local-authority-interactive-tool-lait

³³ Interview with LA DCS

³⁴ Whilst each director gave a different estimated cost based on their own experience, all Directors agreed it was a seven figure sum

³⁵ There were 48 inadequate ratings given out between April 2010 and March 2015 – this averages out at 9.6 per year – we have rounded up to 10 36 Interview with LA DCS

³⁷ The researchers used the Maslach Burnout Inventory to measure this -

http://opencourses.emu.edu.tr/pluginfile.php/9241/mod_resource/content/1/Burnout-self-test.pdf
38 http://www.communitycare.co.uk/2015/07/14/social-workers-on-the-edge-of-burnout-but-still-achieving-positive-changes/

³⁹ http://cdn.basw.co.uk/upload/basw_90352-5.pdf

Professor Eileen Munro's 2014 review of inspection found that children's services were increasingly finding the inspections "extremely stressful". In particular Munro was concerned that there is a danger that 'requires improvement' could start to become treated as a de facto 'Inadequate' "40". We consider this a cause for serious concern, given the notion of requiring improvement is, in commerce, industry, health settings and other circumstances, quite rightly considered a strong foundation for continued improvement. It is not, as this Munro-observed development implies, a reason for believing such improvement is impossible, or that the judgement means that every child, in every circumstance, is under the care of broken or failing services. One interviewed DCS cited, as a result of a 'Requires Improvement' judgement they had witnessed being seen as de facto failure, "the complete collapse in morale and confidence of the workforce" 41.

THE INEQUALITY OF INSPECTION

The impact of an inspection is perhaps best described in terms of the inequality it too often creates. Children's Services Departments judged Outstanding or Good, that thereby avoid going through what DCS's consider is the one-way trap door of being judged RI or Inadequate, can expect some dips in performance, but also a three to four year break to ensure improvements before the next inspection team arrives. Any improvement issues a council has can be managed over that time span. Such a local authority is less likely to suffer major workforce, leadership or practice issues than an RI or Inadequate counterpart. However, it is clear that the number of authorities judged positively has fallen and continues to fall. The resultant system-wide, structural decline being experienced by children's services at a national level, could easily mean that 'Good' will become the new 'Outstanding' as the top Ofsted grade and in effect, becomes unobtainable.

For the local authorities locked in by the trap door of RI there is the threat of an accelerated decline experienced by those already rated Inadequate. We share the sector's concern about the environment this state of affairs could create if we are to drive determined, long term system-wide improvement. For those local authorities judged RI by Ofsted, the published data shows a softer performance drop than for those rated inadequate. However, there remains the threat of cultural and workforce corrosion of staffing body that can be made to feel by those around her/him that RI is in fact akin to Inadequate⁴². Such a local authority is likely to have between one and two years to resolve both its self-reported and recognised issues, and any additional ones created by the inspection team's commentaries and findings, including any unplanned increases in costs associated with the process and its fall-out, before Ofsted returns. Those interviewed recognised that this pattern could further harm the local authorities ability to focus on, and ensure, positive change.

Based on this analysis, we must conclude that inspection, far from fulfilling its stated aim of using inspection and regulation to support and steer improvement, is creating a more divided and unequal children's services sector. The small numbers of local authorities judged by inspectors to be successful both enjoy the space to innovate and improve further, and be spared the burden of damaging performance and quality declines that their failing, or close to failing, counterparts are denied. That this pattern could come to resemble a negative cycle, exacerbating a place's difficulty and potential to go on declining, is obvious.

⁴⁰ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/396378/Review_by_Professor_Eileen_Munro_of_the_first_eleven_Ofsted_inspections_of_children_s_services_and_reviews_of_LSCBs.pdf
41 Interview with LA DCS

⁴² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/396378/Review_by_Professor_Eileen_Munro_of_the_first_eleven_Ofsted_inspections_of_children_s_services_and_reviews_of_LSCBs.pdf

Coupled with the challenges outlined in Section 1, in this section we have laid out the landscape in which local authorities should seek to seize the initiative – and hold on to professional pride – to construct a new approach to service and sector improvement. A system reliant on inspection, at least in its current form, to ensure this happens, is not achieving its stated aims. That such inspection examines very small and very specific elements of a locality's totality of work with and for children meaning much else that may be very good is side-lined or ignored, means an entire locality's services can unfairly be judged inadequate on every count, when what has been inspected is far from the whole picture.

3 ALIGNING INSPECTION WITH IMPROVEMENT

The cuts in funding have created a situation which inspection just isn't intellectually flexible enough to comprehend. The amount of money needed to invest to create an improvement is significant. The jump from Inadequate to Requires Improvement is a seven figure sum. The jump from there to Good is a similar leap. There just isn't the money, and if there was, there are other areas of the council which are competing for it too. The truth is, for some councils being 'Good' just isn't worth the money."

"Sector-led improvement is the right way forward but we can't resource it. How can I help another council get better if I have to spend all of my time making sure I'm ready for the next knock on the door? And if we're all getting worse, who is going to take a peer review from a group of councils who aren't much better than they are?"

Director of Children's Services, interviewed for this report

The first two sections of this report set out to reveal the reality for children's services in the period following an inspection. We wanted the content of those sections to challenge the myths that all a council has to do is just 'follow a plan' or adhere closely to the contents of a framework, and they should get better as if by magic. There is no desire to blame in this publication. Nor, indeed, does the published evidence point at any group or organisation in particular as worthy of bearing such blame. The problems we examine will be solved collectively, as partners, or not at all.

The research we have conducted points to some issues that were previously hidden in plain sight

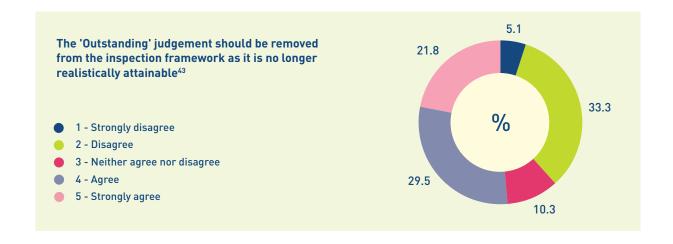
- 1. Performance, at least that which is judged by inspection, has been in decline for a long time albeit from a very high base
 - One could hold the view that such a high starting base reflects an over inflation of actual performance over the preceding years. By the same logic though, it could be argued that the current low level of performance as Ofsted judges it, is being artificially depressed. For the purpose of the rest of this document we choose to take the available data purely at face value. Whilst inspection frameworks and guidance to inspectors have changed, which undoubtedly must have an impact on judgements and how we might analyse them, the long term trend in the annual proportion of grades given remains worthy of consideration.
- 2. It looks like councils are being graded on a standard distribution curve This is a suspicion expressed by some of the Directors of Children's Services interviewed as we conducted this research. The data in this report shows that for three years running (2012 – 2015) there has been very little variation in the proportion of grades given each year compared to the three years prior.
- 3. The financial pressures on councils just aren't being factored in the inspectorates thinking Currently there is no consideration given to the financial situation of a local authority when it is inspected. Such an issue can be no excuse for poor practice of course, whether it is being judged by Ofsted or not. But a council's financial position, before during and after an inspection, will be an important factor in how able it is to respond to improvement requirements placed on it by the regulator. The greater and costlier the requirements, the likelier it is that a low-funded local authority struggling on both this and other fronts will face difficulties in resourcing services to meet them.
- 4. An inequality is created by the inspection process in that it appears to have a disproportionately negative impact on those it judges as failing
 - We must be cautious about drawing conclusions from a single year cohort of inspections. In particular there is logic to the point that those councils found Inadequate would have suffered the same difficulties irrespective of an inspection. Nevertheless, the data we have collated and analysed point very clearly to a more severe decline in key performance indicators in those local authorities judged as inadequate, versus those that are not. This finding is supported verbally by all of those who were interviewed for this research. The messages shared with us throughout the research process and supported during both the final scoring and reflections, together suggest we are seeing a sector that requires changes in the approaches of the inspectorate, but no desire for it to diminish its rigour. For Ofsted, government, the sector and children and families, this should be a welcome message.

Whilst this report has shone a light onto the impact an inspection can have we are not so naïve as to assume that things can be changed overnight, or even that there will be the inclination from those in authority to make changes. This comment might seem overly pessimistic. But it is in keeping with the tenor of this report, in which we have striven to present the information with a sense of stoic realism. In this spirit, and to give this document real utility, we have tested with a number of leaders in the sector a range of different ideas and sentiments in an effort to capture not just the solutions to which the evidence points, but those that already carry significant sector support.

The penultimate section of this report is dedicated to sharing the results of that scoring exercise, and offering reflections to the sector, government and Ofsted as they all seek to continuously to improve the quality of children's wellbeing, care and safeguarding.

THE INSPECTION PHRASEOLOGY

A majority of those surveyed as part of this scoring process either agreed or strongly agreed with the idea of removing the 'outstanding' judgement from the inspection framework

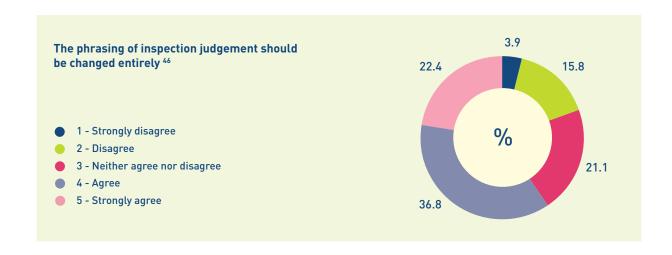


Reasons respondents gave for saying this included it being "redundant as a concept" given the current context (there being none given out in recent years) to gaining an "Outstanding" judgement being an "unsustainable pursuit" 5. The view that there should, however, be something that people aspired to as a goal, was widely shared. Therefore while merely removing the Outstanding judgement could arguably create a more accurate grading system, it would not help to provide the inspiration the sector deems important.

⁴³ Scoring Survey - n80

⁴⁴ Survey comment

⁴⁵ Survey comment



59.2% of those surveyed either agreed or strongly agreed that the entire phrasing of inspection judgements should be changed. The overwhelming preference was for a "narrative judgement" 47 that was based on a direction of travel. The impact of the 'single word judgement' was a common theme in many of the interviews conducted for this report.

THE STABILITY OF THE FRAMEWORK

The stability of the inspection framework was raised during the interview stages of this report and was also a feature in the literature review. In Section 2 we noted the arrival of the SIF and the impact it has had on performance when judged by inspectors. An overwhelming majority of those surveyed either agreed or strongly agreed with the assertion that government and the inspectorate should commit to a Five Year Framework that will not change over that period, to give scope for consistent in-depth year on year comparators.

Linked to this was an issue respondents raised regarding "flavour of month" 48 directives from the political centre which were deemed to have flowed down to Ofsted and skewed the focus of inspections away from core practice standards. A current example cited was radicalisation and extremism. With declining budgets and increasing demand, the safeguarded stability of the framework would be very welcome.

⁴⁶ Scoring Survey - n80 47 Survey comment 48 DCS Interview Response

Government and Ofsted should commit to a 'five year inspection framework' to allow for appropriate evaluation of its effectiveness⁴⁹

1 - Strongly disagree
2 - Disagree
3 - Neither agree nor disagree

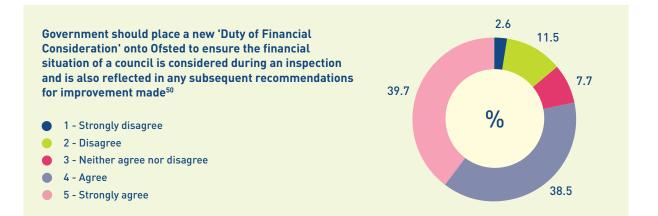
60.3

4 - Agree

5 - Strongly agree

FINANCIAL PRESSURES

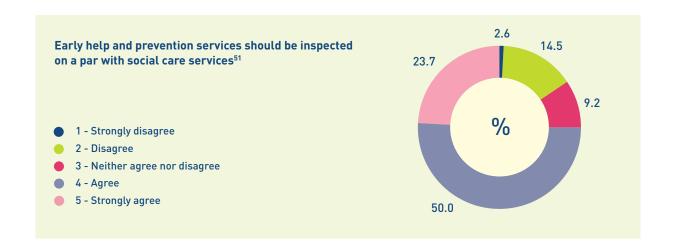
The issue of present and increasing financial pressure was both repeatedly raised during the interview process, and expressed across a number of comments in the scoring survey. The quote with which we lead this final section of the report should be of significant concern for both Ofsted and government. Not only does it suggest that the inspection process is divorced from the financial reality of delivering services, but that senior sector leaders could be beginning to see the inspectors' judgements as largely irrelevant in the greater scheme of things as they deliver services across the piece, not only those Ofsted inspects.



49 Scoring Survey – n80 50 Scoring Survey – n80 Given current and likely long term spending pressures on local government and the danger that the weight and influence people assign to Ofsted judgements and the subsequent requirement on the council to act, it would be mutually beneficial to both the inspectorate and the sector if a council's financial envelope was seriously considered and contextualised during both the inspection and reporting processes.

PARITY OF ESTEEM

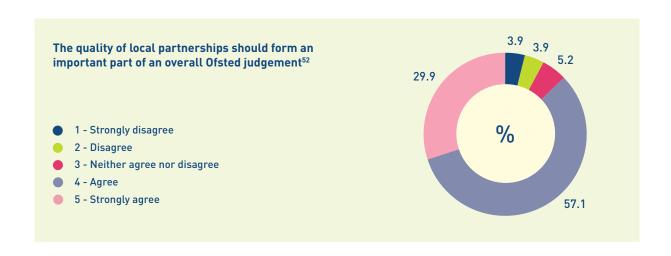
A tension often raised during the research undertaken for this report has been the balance a local authority is forced to strike between the acute end of safeguarding and specialist care, and the universality and emerging potential of an effective early help offer and what it takes to create, promote, sustain and embed it. In particular, the system leadership required to develop effective early help and prevention as required by DfE is significant and complex in nature. Our respondents felt this was not considered with sufficient weight by Ofsted teams.



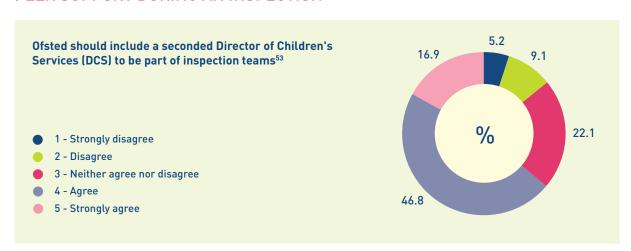
Despite the hugely important part early help and preventive services play in creating positive outcomes for children and young people, the view that they are poor relations to higher end and more specialist social care was shared with us on a number of occasions both during the interview process and in the survey comments. That early help and prevention are recognised as helping manage down the need for those higher end crisis services is recognised across the sector. That they are all too easily cut because the need to safeguard statutory specialist – and inspected – services, is also acknowledged. Squaring that circle, and safeguarding prevention because it avoids specialist services being overwhelmed and failing, is clearly becoming very difficult in many localities. Keeping the preventive services at a distance from what is judged and graded, adds to that difficulty.

51 Scoring Survey - n80

Similarly the importance localities place on local partnerships, whilst vital for any council to deliver sustainable and effective services, is poorly reflected in inspections to date. 87% of those surveyed either agreed or strongly agreed that the quality of local partnerships should be an important part of the final Ofsted inspection judgement. A number of those surveyed raised the important point of accountability and that if "the council remains solely responsible for other agencies' failures" then a focus on partnership quality would be of little real use. To that end, a logical step would be to use the parity of esteem that good early help and prevention require as the lens through which everyone considers both effective partnerships, and the quality of services to children.



PEER SUPPORT DURING AN INSPECTION



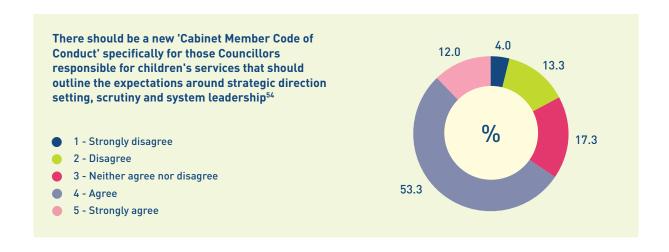
⁵² Scoring Survey - n80

⁵³ Scoring Survey - n80

There was strong agreement from those surveyed that a DCS from elsewhere should be part of an inspection team, to arrest both a perceived lack of experience on the part of the inspectorate's teams, and to support greater cross-organisational collaboration and whole-sector learning. However, this opinion was tempered by a number of comments respondents also made, including those by some who supported the measure, that "there just wouldn't be the time for a DCS" to be part of an inspection team. One alternative suggested was that the role could be undertaken by an Assistant Director (AD), as a means of injecting credible sector expertise into a team, but also as CPD for that person. Whilst the specific details of whether a seconded DCS or AD would assume a formal role within an inspection team is a question for more than just the sector itself, the principle of peer support and challenge during an inspection appears to be widely supported.

A DIFFERENT APPROACH FROM COUNCILS' ELECTED MEMBERS

One of the most difficult aspects to decode in responses to the recommendation-scoring survey was the role of elected members and how, or indeed if, it needs to evolve. We offered a broad concept to test the sector's sentiment: a new code of conduct for lead members for children's services.



The raw numbers paint a fairly conclusive picture, showing respondents consider a new code would be of use given that 65.3% either agree or strongly agree it is necessary. However, the comments returned suggest a more complex picture in response to this recommendation. Approximately one in three of all respondents (that is, every narrative comment returned on this recommendation) argued that the current statutory guidance was in fact sufficient, and simply needs to be adhered to. Despite this, only 17.3% of those surveyed disagreed or strongly disagreed with the notion of a new code of conduct. We tread carefully when trying to understand this apparent disconnect between the comments and the data. However we are confident in drawing one conclusion. The role of the lead member is vital in engaging the rest of the local authority's members in the work of children's services. During the interview process, and in a number of the comments from the survey, a desire was expressed for the "lead member to get the whole of the council" behind change in, and the prominence in the council's overall agenda of, children's issues and, it follows, children's services.

54 Scoring Survey – n80 55 Survey comment

4 CONCLUSION -A LOOK INTO THE FUTURE OF SECTOR-LED IMPROVEMENT

Gervices and children's services within the LA) existing in 2025. Unless there is radical change, local government won't exist any longer in its present form, and with so much externalising of provision it will be managing directors of children's services companies who get to lead work with children and families in the brave new world."

Director of People, Scoring Survey Comment

This report has established both an evidence base and a case for a change in the way children's services inspections are conducted, how much of the landscape they need to examine and how the different parts of the sector should seek to support each other throughout the process. This brief report can by no means present an exhaustive case. There remains a need for further research and greater, deeper deliberation and debate.

However, we would argue that there is strong evidence here to suggest that a by-product of children's services inspection, as it now stands, is the creation and maintenance of inequalities between those who benefit from the current system and those who do not. Similarly, there are a number of vital questions both Government and Ofsted must ask themselves about how the judgements arising from inspections are presented, assimilated and framed, both by those being judged and far wider and less expert audiences. The regulator stands in danger of losing credibility with local government, and by proxy, its ability to catalyse change stands at risk of diminishing, meaning it will not and cannot fulfil either its stated purpose, or its clear intention, which is to help to improve the system it inspects. The time is ripe to ensure that the Prime Minister's desire to reform children's services⁵⁶ can be matched by an appropriate and considered change in how those services are inspected. Localities want and expect to be held to external as well as internal account. How that can be achieved is a matter for crucial debate.

From a local authority perspective, the call seems to be for a more active, credible and respected model of peer support. It is to this issue that we devote the concluding section of this report.

A BRAVE NEW WORLD

There has been a strong endorsement of sector-led improvement (or peer-to-peer support) throughout the research process for this report. Challenges have been raised around capacity and resourcing, but the broad approach is now considered to be "maturing" and "showing promise" In light of this, efforts on how to best drive improvement should be seen through the lens of 'sector-led' approaches. Despite this acknowledgement, there are important areas that the research suggests are ripe for innovation and change within the broader area of a sector-led improvement approach.

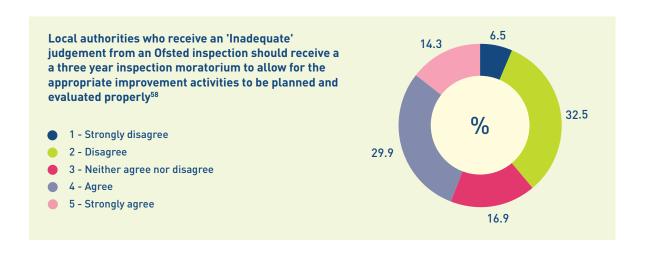
The quote at the opening of this section from the anonymous Director of People, shared by many other survey respondents and interviewed DCSs, offers us a sharp reminder of how radically different the immediate future could be. In light of this the role of sector-led improvement is equally likely to be under pressure to change. Thankfully the research conducted for this report has opened up some interesting and relevant lines for further enquiry.

56 http://www.cypnow.co.uk/cyp/news/1153716/cameron-s-children-s-services-reform-agenda-receives-mixed-response-from-sector 57 DCS Interview Response and Survey comment

1. Improvement vs Intervention

The on-going performance management support and benchmarking that sector-led improvement offers already will remain an important feature for the future. But it would be intellectually dishonest to ignore the fact that those authorities already struggling to deal with the severe impact of a negative or begrudging inspection judgement, or indeed with the stress of on an on-going inspection, will require a different level of support from their peers who are not under those pressures. In this instance, peer support could provide welcome respite, professional challenge and perspective from people who understand and work in the sector, without diminishing the rigour and robustness required. In Section 3 we offered the recommendation of peer support – both during and as part of the process of inspection – as an area for further consideration (for example – a DCS or AD secondment to an inspection team). We would go further and suggest that doing this could become totemic of a broader delineation needed between sector-led improvement and what would essentially become known as **sector-led intervention**. In the latter, peers, whether Directors or ADs, would more actively, robustly and directly engage with partnered authorities, either on a discrete individual basis or as part of a consortium of interveners trained to undertake this more robust work.

Our research suggests this emergent sector-led intervention field could represent a new frontier in how local authorities support each other, given that there appears to be a significant difference of opinion across the sector on how to treat struggling authorities, we would anticipate there being a wide variety of possible iterations of **sector-led intervention**. A good example of this variety of opinion would be the response to a scoring question, on the idea of the imposition of an inspection moratorium following an inadequate judgement so as to allow some time for recovery to begin to be embedded before a re-inspection.



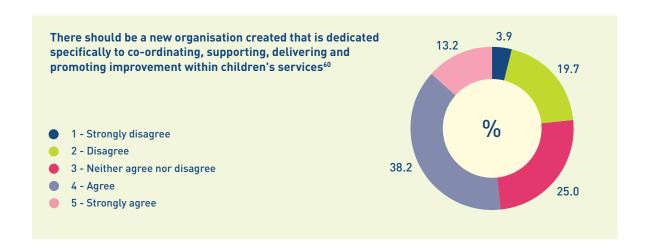
58 Scoring Survey - n80

The sector appears split down the middle on whether authorities judged inadequate by Ofsted need additional space and time, with approximately 44% saying they either agree or strongly agree and 39% saying they either disagree or strongly disagree. A number of respondents made clear that they felt three years was too long but agreed with the principle of breathing and initial recovery space, whereas others felt that inadequate authorities "deserved" the additional scrutiny and monitoring because they were "letting down" vulnerable children and families, and by inference their colleagues across the sector who could be tainted by the same judgement in the court of public and media opinion.

The disconnect between those judged as performing well and those performing badly might mean that for those councils perceived or Ofsted-judged to be poorer-performing, a new area of sector-led intervention activity may be deemed necessary.

2. An agenda in need of an identity

As part of our scoring process we tested the idea of whether a new organisation should be created dedicated to sector-led improvement.



51.4% of those surveyed either agreed or strongly agreed that there was a need for a new organisation with 23.6% opposed. When overlaid with the comment and interview data however, the picture appears to be less one of a need for a new organisation per se (although some respondents do believe this is necessary). Rather it is for a stronger sense of identity to be provided by the existing structures responsible for administering and co-ordinating it. Many survey respondents argued against the idea of a new bureaucracy but expressed a desire for "more encouragement", better "collaboration at regional and sub-regional levels" and more "coherence of approach" We have interpreted this call as this issues being less about a need for a new organisation, and more a call for those organisations already co-ordinating the voice of the sector to give it an explicitly stronger and more cohesive identity.

⁵⁹ Survey comment 60 Scoring Survey – n80 61 Survey comments

3. The development of a market

Alongside respondents' and interviewees' support for greater, albeit carefully thought through, sector-led improvement activity, we also believe external support and challenge will be necessary in the right circumstances. As we have already established, this too should still be seen through the lens of robust and rigorous sector-led improvement. One area where this could be deployed would be in the development of a suite of support packages, through working directly with the varied and developing market of peer, private and third sector providers. Such 'support packages' could be developed for councils' before or following an inspection, and/or to support broader and longer term improvement. A greater sense of "coherence" has been requested by respondents, and the need for clarity around what might broadly be termed 'approaches' was seen as a large part of that in our scoring survey.

4. The setting of direction

Finally, we have called this report A Brave New World because, for good or ill, that is what the sector told us was coming. In many ways the tensions our research has teased out are simply a reflection of a transition into this new world. As part of our scoring survey we asked people to answer a future-focused question. We asked what they thought the job would be in 2025. The answers highlighted an interesting disparity.

"Greater focus on commissioning. Greater focus on leveraging partnership activity. Difficult to envision smaller autonomous councils being able to sustain current structures. Likely to mean DCSs covering a SUBSTANTIALLY larger population with significant increases in complexity."

"The primary purpose will continue to be to safeguard vulnerable children and seek to improve outcomes."

"The Director role has moved to a business role and I think this will continue if such a role exists in 2025. Therefore the focus will be on process, finance and impact... less focus on quality of interventions. There won't be a need for a practice background."

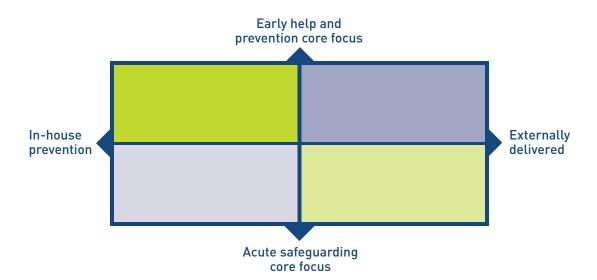
"Ensuring the safety, wellbeing and resilience of the most vulnerable in society within a combined authority including health."

"I hope it's an integrated local public sector offer to our public co-ordinated by a single leader officer working to a slimmed down governing body."

"Just delivering high-risk safeguarding services. Absolutely everything else will be delivered by someone else."

In short, there is quite a big disparity in how senior leaders within the children's services sector see the future. Sector-led improvement, in part, through its approaches and activity could both step into this contested space with confidence in the abilities of those doing the work already, and a determination to help to define this complex future more clearly.

62 Survey comment



The chart above was produced following analysis of the future-focused question responses. The future for children's services, and by extension where sector-led improvement might be positioned, hinges on two axes; isolationism vs. colonisation and preventative action vs reactive action.

There is no moral judgement placed on these options, given a large number of potential destinations are conceivable to leaders already working within the sector at this point. The fact that there is such a disparity in opinions, however, suggests that there is considerable further work to be done on setting out a collective vision for the future. One interviewed DCS framed it succinctly when they asked; "where is our five year forward view?" 63

In the face of these immense challenges we have reason for confidence. The sector is in sound hands.

Only very recently Alison O'Sullivan, President of ADCS, wrote that "ADCS is undertaking some work to understand and codify what is taking place in the regions. And we are having some conversations with partners about what a joined up approach, to improve what goes on in different parts of the system, might look like." The infrastructure appears to be in place which could see us witness, and be part of, a generational shift in the way the sector leads and governs itself. The best of practice is already being pioneered. The honesty with which the sector discusses its weaknesses and strengths is already impressive, indeed compelling. As William Gibson once noted, "the future is already here, it's just poorly distributed." For children's services, the same, it seems, is true.

64 http://www.cypnow.co.uk/cyp/the-adcs-blog-blog/1153842/improvement-work