Scrutiny of the Action following the SSI Inspection on Childrens Services

1. Executive Summary

1.1 This report sets out the background to the second scrutiny meeting on the Social Services Action Plan following the Inspection Report on Childrens Services by the Social Services Inspectorate (SSI) – now the Commission for Social Care Inspection. It covers action planning for recruitment vetting, and developing the corporate parenting role.

2. Recommendations

2.1 The panel is recommended to:

1. Scrutinise the planning of measures to ensure “Warner compliance” to the recruitment vetting process.
2. Scrutinise the planning of measures to develop the Corporate Parenting role of the Council.
3. Draw out any conclusions and suggestions.

3. Scrutiny of Recruitment Vetting

3.1 The lead Members for this scrutiny (Mrs Burns, Mrs Parker, and Mrs Warburton) have suggested lines of inquiry covering the following:

1. Are the “contracted bodies” now Warner Compliant? If not, in what respects are they not?
2. (In part 2 if necessary) Which organisations do not do standard police checks?
3. Is the County Council now Warner-compliant for all employees and Councillors?
4. What safeguards are in place to make sure that people don’t work alone with children?
5. How has the problem arisen?
6. How are arrangements being monitored?
7. What are the plans (as at now) to remedy the current deficiency? Are they clear and what is the risk of slippage? What factors might put delivery of the plan at risk?
8. Where should we be by October?

3.2 The following officers will attend the meeting:
    David McCombe, Residential Services Manager, Cumbria Social Services
    Kevin Quinn, Interim Divisional Manager, Cumbria Social Services
    Alison Cheetham, Team Leader (Advertising and Recruitment), CAPITA
    Kathleen Ward, Team Leader (Corporate team), CAPITA

3.3 David McCombe, in his role as chair of the Social Services Working Group on Warner Compliance will give a brief introduction covering key points on Warner Compliance in Cumbria Social Services.

3.4 Supporting information has been provided as follows:
   1. Extract from the SSI report (Appendix 1)
   2. Extract from the Panel’s discussion with the Interim Director on Warner Compliance in March 2004. (Appendix 2)
   3. The Social Services Action Plan on Warner Compliance (due to be finalised by the Working Group on 14 June) (Appendix 4)
   4. A Warner compliance summary. (Appendix 5)

3.5 Appendices 1 and 2 are attached to this report. Appendices 4 and 5 are being finalised and will follow within a few days.

3.6 The Panel will note that its conclusions on Warner compliance in Social Care will be reported to Strategic Overview and Scrutiny Committee, who wish to consider whether the scrutiny of Warner compliance needs to be broadened beyond Social Services.

4. Scrutiny of Corporate Parenting

4.1 The lead Members for this scrutiny have suggested lines of inquiry covering the following:
   1. When will the next Corporate Parenting sessions be?
   2. Where do we start with sorting out Corporate Parenting?
   3. How do you embed this into the whole framework of the Council?
   4. How do you make Corporate Parenting meaningful to each and every Councillor?
   5. What will the role of “champion” Member for children be?
6. What are the plans (as at now) to remedy the current deficiencies? Are they clear and what is the risk of slippage? What factors might put delivery of the plan at risk?

7. Where should we be by October?

4.2 Stephen Wilds, Interim Corporate Director for Social Services, and Paul Moore, Head of Childrens Services, will be present for this item. They may wish to give a brief introduction to the issue.

4.3 In addition, three documents are attached as background information for members:
   1. Extract from the SSI report (Appendix 1)
   2. Extract from the Panel’s discussion with the Interim Director on Warner Compliance in March 2004. (Appendix 2)
   3. Statement on the Council’s corporate parenting legal responsibilities prepared by the Head of Legal Services (Appendix 3)

5 Drawing out Conclusions, Ideas or Suggestions

5.1 After each discussion, the process will be helped if members can pull out their conclusions, or raise further ideas or suggestions. This will assist with the Panel’s report, or if appropriate further dialogue with Social Services.

Appendices

2. Extract from the Panel’s discussion with the Interim Director on Warner Compliance in March 2004.
3. A document “Corporate Parenting – some legal considerations for members” prepared by the Head of Legal Services
5. A summary of Warner requirements.

Supporting Documents

Appendix 1

Extracts from the SSI Report

Recruitment Vetting – Warner Compliance

9.37 The personnel and recruitment function of the Council had been transferred to an external provider, CAPITA. The Council operated in line with the guidance on the safeguarding of children and vulnerable service users. The vetting process included Criminal Records Bureau (CRB) disclosure references and medical checks and the requirement to produce evidence of identity and qualifications prior to an offer of employment being made. However, checks by inspectors of personnel records showed that CAPITA accepted two references from the same source, with no requirement for the second referee to declare their status and relationship to the applicant. There was no framework for interviewing recruits which ensured that unexplained gaps in life histories were explored in interviews and recorded. There was no system in place to routinely re-check those staff who had significant and unsupervised access to children.

9.38 The Council had identified its unsafe practice in not having procedures in place to confirm that staff and volunteers working in services funded and commissioned by social services were subject to the required vetting procedures and checks. It was evident that there were adults working directly with children and young people in schemes and projects managed by the independent sector without the necessary safeguards being in place.

9.39 Sound recruitment practice is a key element in the safeguarding of children. The Council will need to ensure that current practice is ‘Warner Compliant’. The required checks should be made on staff prior to their appointment and systems in place to ensure that these checks are regularly updated.

Corporate Parenting

9.5 Councillors interviewed during the inspection were frank and honest about their experiences in working with managers and staff from children's services. Councillors were proud of their work in the Children's Forum particularly of the initiatives which resulted in the active contribution of children and young people. However, it was confirmed that despite the level of personal commitment from some councillors, corporate parenting was not a key feature of the duties of all councillors and was an area of work requiring ‘further development’. The reasons for this situation were not clear. However, it was stated that until relatively recently the work of children's services had been ‘a closed book’ for councillors, on the grounds of ‘confidentiality’. The situation had not been helped by vacancies at a senior level in social services, all of which contributed to the uncertain lines of communication with councillors. Reports seen by inspectors submitted by managers to the Health and Care Scrutiny Panel
about children's services did not spell out clearly the operational reality faced by an increasingly depleted staff group. The limitations these difficulties placed on staff working directly with service users and the risks this posed for the Council were not routinely or effectively reported to councillors and subject to the proper scrutiny.

9.6 There was evidence in the minutes of the Health and Care Scrutiny Panel during the last year of councillors identifying the restrictions of current arrangements on their access to comprehensive information about children's services. Records showed that the purpose of the Scrutiny Panel and its relationship with the Children's Forum required to be clarified and re-stated. A working group of senior councillors had been formed to consider how these responsibilities should be delivered, with particular reference to the recommendations of Lord Laming's report into the death of Victoria Climbie.

9.7 It was evident that although the proper structures were in place for the review and scrutiny of social services, councillors had identified the need for a more thorough and transparent process than existed at present. This aspect of work must be a high priority for the Council if it is to meet the expectations of the public and the guidance on the role of the councillors as corporate parents issued by the Secretary of State in 1998.
Appendix 2

Extract from the Scrutiny Panel’s Discussion with the Interim Corporate Director, Social Services, 8 March 2004

1. Vetting of Recruits

In relation to child protection, why have we not ensured through Service Level Agreements that employees of partner organisations who come into contact with children in the care of Social Services have been subject to the proper police checks and clearance?

The Head of Children’s Services referred to the recommendations of the Warner Report which required employers to undertake more thorough checking of potential employees’ backgrounds in such circumstances. He explained that steps were currently being taken throughout the County Council to comply with the findings of the Warner Report by using a checklist based on its recommendations. In the case of the staff of organisations under contract to the County Council, the appropriate requirements were being added to the wording of contract documentation and organisations currently working with Social Services had been asked to provide written confirmation that they were compliant with the recommendations of the Warner Report. Steps were also being taken by CAPITA to ensure that their service was Warner compliant.

2. Corporate Parenting

In terms of Corporate Parenting, where do responsibilities lie and who should be held to account if things go wrong?

The Interim Corporate Director of Social Services explained that both Members and Officers acted as Corporate Parents and had responsibilities for maintaining standards in Social Services, as did partner agencies and those working with young people in the field of education. As the risk was shared, there was a need to have appropriate systems in place to enable everyone to understand what risks were involved.

The Panel was advised that the measures proposed in the Children’s Bill would lead to the abolition of the roles of Director of Social Services and Director of Education and that Members and Officers would have to consider how the provisions of this Bill could be implemented to the best advantage of the residents of Cumbria.

In relation to visits to children’s homes which could be carried out by Members of the Council, the Head of Children’s Services expressed concern that Elected Members were not currently involved in Regulation 33 visits and explained that he was looking into the situation. Members were, however, advised not to carry out unannounced visits to children’s homes as this could distract and distress their residents. The
possibility of children’s home visiting being organised by Local Committees was also discussed.