

**STATUTORY DIRECTION TO LONDON BOROUGH OF TOWER HAMLETS  
IN RELATION TO CHILDREN'S SERVICES UNDER SECTION 497A(4B)  
OF THE EDUCATION ACT 1996**

WHEREAS:

1. The Secretary of State for Education ("the Secretary of State") has carefully considered Ofsted's report of 7 April 2017, in respect of the London Borough of Tower Hamlets ("the Council), of its inspection carried out between 24 January and 16 February 2017. The inspection report found that children's services are 'inadequate'. The sub-judgments for children who need help and protection and leadership, management and governance were rated as 'inadequate'.
2. The Secretary of State is therefore satisfied that the Council is failing to perform to an adequate standard, some or all of the functions to which section 497A of the Education Act 1996 ("the 1996 Act") is applied by section 50 of the Children Act 2004 ("children's social care functions"), namely:
  - a) social services functions, as defined in the Local Authority Social Services Act 1970, so far as those functions relate to children;
  - b) the functions conferred on the Council under sections 23C to 24D of the Children Act 1989 (so far as not falling within paragraph a. above); and
  - c) the functions conferred on the Council under sections 10, 12, 12C, 12O and 17A of the Children Act 2004.
3. The Secretary of State, having considered representations made by the Council, considers it expedient, in accordance with her powers under section 497A(4B) of the Education Act 1996, to direct the Council as set out below in order to ensure that all of the Council's children's social care functions are performed to an adequate standard.
4. The Secretary of State intends to appoint **[TBC]** as Intervention Adviser, in accordance with, and for the purposes of, the terms of reference ("the Terms of Reference") set out in Annex A to this direction.

NOW THEREFORE:

5. Pursuant to section 497A(4B) of the Education Act 1996, the Secretary of State directs the Council as follows:
  - a. To comply with any instructions of the Secretary of State or the Intervention Adviser in relation to the improvement of the Council's exercise of its children's social care functions and to provide such assistance as may be required;
  - b. To co-operate with the Intervention Adviser, including on request allowing the Intervention Adviser at all reasonable times access:
    - i. to any premises of the Council;
    - ii. to any document of or relating to the Council; and

- iii. to any employee or member of the Council

which appears to the Intervention Adviser to be necessary for achieving the purposes of, and carrying out the responsibilities set out in the Terms of Reference;

- c. To provide the Intervention Adviser with such amenities, services and administrative support as they may reasonably require from time to time for carrying out their responsibilities in accordance with the Terms of Reference, including:
    - i. providing officers' time or support; and
    - ii. providing office space, meeting rooms or computer facilities;
  - d. To appoint the Intervention Adviser to membership of the Tower Hamlet's Children's Services Improvement Board ('the Improvement Board');
  - e. To ensure that a comprehensive progress report is provided by the Director of Children's Services to each meeting of the Improvement Board;
  - f. To co-operate with the Intervention Adviser's six monthly reviews as to whether the Council has made sufficient progress in improving its children's social care services;
  - g. To ensure that the Chair of the Improvement Board reports to the Secretary of State on progress in delivering the improvement plan, on a quarterly basis, the first report being within 3 months of the date of this Direction.
6. This Direction will remain in force until it is revoked by the Secretary of State.

Signed on behalf of the Secretary of State for Education

SUZANNE LUNN

A Senior Civil Servant in the Department for Education

Dated this     day of

## ANNEX A

### Intervention Adviser Terms of Reference

1. London Borough of Tower Hamlets has failed in its delivery of children's social care services. Ofsted's inspection report, published on 7 April 2017 ('the Ofsted report'), found the service to be 'inadequate' overall.
2. The Intervention Adviser is expected to provide practice advice and support to the Council on those areas of practice that Ofsted has judged to be inadequate, under the Direction issued to London Borough of Tower Hamlets by the Secretary of State under section 497A of the Education Act 1996 on [Insert date] ('the Direction'). The Intervention Adviser shall in particular:
  - a. Be a member of the Tower Hamlets' Children's Services Improvement Board ('the Improvement Board');
  - b. Ensure the development and implementation by the Improvement Board of:
    - a robust improvement plan which spans children's services, and
    - an effective reporting system that ensures that progress and outcomes are measured appropriately.
  - c. Ensure that the improvement plan includes clear and specific actions which reflect the journey of the child and which address all recommendations made in the Ofsted report so as to improve the quality of services for children in need of help and protection; and
  - d. Provide practice advice in line with priorities agreed with the Council and addressing areas of weakness identified by the Ofsted report.

The Intervention Adviser will carry out periodic six monthly reviews that assess service improvements in Tower Hamlets by reference to the OFSTED report. The Intervention Adviser will carry out the first review within six months of the date of this Direction. These reviews may cover but are not exclusive to practice; performance; culture; leadership, management and governance; workforce and management oversight; early help; and the LSCB.

From time to time, the adviser may require that a diagnostic review or assessment of performance in a specific service area in undertaken by a local authority or other party agreed with the Department.