

INQUEST INTO THE DEATH OF ALEX KELLY

RESPONSE from TOWER HAMLETS COUNCIL to the letter from the Coroner dated 28 December 2014

Introduction

1. This is the response from Tower Hamlets Council (hereinafter "The Council") to the Coroner's Regulation 28 report dated 28 December 2014 following the inquest into the death of Alex Kelly.
2. As stated in the report Alex Kelly (AK) was a looked after child under the care of The Council from the age of 6. The Council undertook a detailed Serious Case Review following AK's death and as a result a number of actions have been taken to ensure that lessons are learned for the future.
3. The Council provided formal evidence at the inquest via a statement and live evidence from myself, [REDACTED] Interim Service Head, Children's Social Care, in relation to lessons learned by the Council.
4. This response sets out below the extracts from the Coroner's report and a response from the Council. This response only addresses the points that specifically relate to the Council.

Case Allocation

a) Alex Kelly was without a named social worker for a period of two months at a time when he was in danger of being sent to custody and after he was sent to custody. Difficulties in allocation were not escalated to senior management.

5. The Council agrees that it is not acceptable for a looked after child to be left without an allocated social worker for a period of two months. The circumstances at that time in 2011 (organisational change and the absence, due to ill health, of the previous allocated social worker) provided the context in which this occurred but that does not excuse the lack of active social work involvement.
6. Children's Social Care Services in Tower Hamlets has a clear expectation that all children and young people looked after by the council will have an allocated social worker. The number of social workers in the teams providing this service have been maintained despite a reduction in the number of looked after children and this has been reflected in smaller case loads. Managers within the service are clear that ensuring that all looked after children have an allocated social worker is one of their primary responsibilities.

7. The Children's Social Care Management Team receives a monthly report providing information about all children and young people receiving a service. This includes confirmation of the allocation of looked after children (and children subject to a protection plan); if the performance report shows that any of these vulnerable children appears to be without an allocated worker, then the responsible senior manager is required to investigate this as a matter of urgency. There have not been any unallocated looked after children over the course of the last 3 years, other than the brief period in which they are being transferred between social work staff / social work teams.
8. Since the completion of the organisational restructure in January 2012, Service and Team Managers have been reminded of the need to ensure that case transfer is undertaken in an efficient and timely manner and that there is always an identified key worker for each case.
9. The Head of Service has written to all of the Independent Reviewing Officers to remind them of their responsibility to raise any concerns about case allocation and planning to Team and Service Managers and ultimately to the Head of Service via an escalation policy. This escalation policy is based upon the use of alerts to draw to the attention of first line, middle and senior managers the failure to implement any part of the plan for a looked after child, including allocation to a social worker. The escalation policy was reviewed and updated in 2013 and has been used to highlight concerns about the lack of progress in the implementation of plans for some looked after children.

Information Technology

a) Social Workers did not transfer documentation, including emails, onto Framework I in a timely manner or at all

10. Children's Social Care recording systems have become increasingly complex with the need to ensure that a wide range of guidance and regulation is adhered to, data captured and records maintained. There is a balance to be achieved between social work time spent in front of a computer recording this information and direct contact with the children, young people and families for whom a social worker is responsible, as was pointed out by Professor Eileen Munro in her review of child protection service published in 2010.
11. The case recording system used in Tower Hamlets, Framework I, is acknowledged to be one of the more user friendly software systems available. There is not an alternative available that would offer significant benefits to staff in terms of ease of use or the automation of routine tasks. Managers and staff have developed and implemented changes to the processes within Framework I to improve its ease of use.
12. The Council accepts that, in this instance, significant information was not recorded within Framework I. Social Work staff are trained at induction

and reminded at regular intervals of the need to ensure that they properly maintain the records of the children and young people with whom they are working.

13. The Council has reviewed the guidance issued to staff on recording and provided briefing sessions for staff to reinforce the Council's expectations that relevant information is recorded / uploaded into Framework 1 in a timely manner. First line managers are required to review case records on a regular basis, through monthly case audits of the records and through exercising management oversight of the work being undertaken. A report demonstrating the extent to which managers are reviewing case files is provided to the Children's Social Care Management Team every month which shows the percentage of cases that have been reviewed by the relevant manager during the previous month.

b) There was no system in place for ensuring that urgent electronic communications were flagged / diverted when the recipient was absent from work.

14. The Council accepts that there is a need to ensure that there is a mechanism to alert external agencies when a member of staff is absent and to provide an alternative contact within the council during such a period of time.
15. Managers and Social Work Staff have been reminded of the need to ensure that if they are going to be absent from work, they must ensure that a message is placed on their email account to indicate when they will return to work and who to contact in the event of an emergency. Reminders will be repeated every three months.
16. Unfortunately, it is more complicated to make similar arrangements for members of staff who are away from work unexpectedly, e.g. because of ill health. Some staff have access to their email accounts from home or via a mobile device and can add an "out of office" message from home in the event of unexpected absence from work. However, not all staff have this facility and because access to the council's email system requires triple authentication together with a requirement to treat all passwords confidentially, they cannot arrange for somebody else to do this on their behalf. Managers have therefore been instructed that, in the event of the unexpected absence of a member of staff, they should request that an out of office message is added to the email account of the absent member of staff by the Council's information technology provider. This does not happen immediately and it can take up to a week for the system to be amended. However, we have undertaken random audits of the email accounts of staff who are absent from work and will continue to do so in the future. There has been an improvement in awareness of the need to ensure that the messages are in place and in managers requesting that systems are amended.

17. Colleagues in other agencies are aware that, in the event that urgent email correspondence does not receive a timely response, then they should contact the manager of the member of staff concerned to ascertain why they have not received a response. Managers in turn should be reviewing the work of a social worker who is absent from work and making contingency plans in the event that absence continues beyond a day or two.

Custody

Social Workers did not all appear to appreciate that their responsibilities as Corporate Parents included a role in a looked after child's welfare whilst in custody.

18. The Council accepts that, on this occasion, Social Work staff did not always appreciate that their statutory responsibilities as Corporate Parents continued despite the fact that a young person was in custody. In comparison to the overall numbers of looked after children relatively few receive a custodial sentence and not all staff were familiar with this situation.
19. The Children's Social Care Service and the local Youth Offending Service have devised a protocol setting out clearly the responsibilities of each service in the event that a young person receives a custodial sentence which has been updated to take account of changes in the legislative framework. The launch of the revised protocol provided an opportunity to remind Social Work staff that a custodial sentence does not remove their statutory responsibilities towards a looked after child although they may not be able to fully exercise those responsibilities.
20. In addition, the implementation of the *Legal Aid, Sentencing and Punishment of Offenders Act 2012* has meant that a larger group of young people become looked after as a consequence of custodial remands. This has meant that Social Work staff now have a greater awareness and familiarity, through their day to day practice, of the parallel responsibilities that the Council has towards young people who are both looked after and in custody.

Conclusion

21. I hope that the above addresses the concerns raised in the Coroner's report. The Council remains committed to learning lessons from untoward incidents and continually improving the care provided to the young people for whom we are responsible.

Yours sincerely,

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[REDACTED]

Interim Service Head, Children's Social Care
February 2015