

# Harrow Monitoring Group

*advocating inclusion so everyone can access - and shape - the services they need*

Harrow Monitoring Group - email

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The Rt Hon Bridget Phillipson MP  
Secretary of State for Education  
Department for Education, Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT

Sent via email [sec-of-state.ps@education.gov.uk](mailto:sec-of-state.ps@education.gov.uk)

Monday, 5 January 2026

Dear Secretary of State

## **Concerns regarding the use of Section 18 Children Act 2004 and safeguarding governance risks**

We publicly write to you as a community group with first-hand experience of how shortcomings in local authority children's services affect parents, families and, most importantly, the welfare and safeguarding of children. Through our direct engagement with families involved with children's social care, we see how leadership, governance and accountability arrangements translate into lived outcomes for children.

We wish to raise serious concerns about the operation of Section 18 of the Children Act 2004 and the way it is now being applied in practice by English local authorities. Section 18 mandates that every authority appoint a statutory Director of Children's Services (DCS). While the Act allows a Chief Executive or Managing Director to be designated on an interim basis while recruitment is undertaken, this provision has increasingly come to be used as a default solution rather than an exceptional safeguard. In our view, this practice now requires urgent re-examination.

When the Children Act 2004 was enacted, the scale and nature of children's services were markedly different. Since then, statutory responsibilities have expanded significantly, regulatory scrutiny has intensified, and the complexity and risk profile of children's social care has increased substantially. Today, the DCS role carries direct accountability for child protection, children in care, care leavers, SEND, corporate parenting, serious safeguarding incidents, and service improvement under Ofsted and Department for Education scrutiny. It requires deep professional expertise, sustained operational engagement, and the authority to challenge corporate decision-making where children's welfare is at risk.

Against this backdrop, the routine designation of a Chief Executive as interim DCS raises serious safeguarding governance concerns. First, it removes the essential separation between

professional safeguarding leadership and corporate oversight. In a functioning system, concerns about children's services leadership are escalated to the Chief Executive. When the Chief Executive is also the DCS, that escalation route is effectively closed, weakening independent challenge at the highest level.

Where the DCS arrangement is described as temporary, recruitment to a permanent DCS post in a local authority judged inadequate or subject to government intervention is rarely swift. As a result, "temporary" arrangements risk becoming open-ended, normalising a leadership model that removes independent escalation and professional challenge at precisely the point when strengthened oversight should be expected.

Secondly, the operational demands of the modern DCS role are substantial, particularly in authorities under regulatory intervention. Combining this role with the full responsibilities of a Chief Executive risks overextension, reduced visibility in frontline practice, and diluted leadership at precisely the moment when intensive focus is required. Thirdly, this arrangement risks prioritising legal defensibility and procedural compliance over learning, improvement and child-centred outcomes. Where the Chief Executive also holds leadership roles within local safeguarding partnerships, the independence and effectiveness of multi-agency challenge may also be compromised.

We also wish to draw attention to a wider structural safeguarding concern relating to the design of the Director of Children's Services (DCS) role itself. Safeguarding failures do not arise solely from poor practice, but also from weak system design where accountability is blurred and independent challenge is limited. *Working Together to Safeguard Children* is clear that effective safeguarding depends on robust assurance, clear escalation routes and meaningful professional challenge.

The current design of the DCS role concentrates operational leadership, strategic safeguarding responsibility and key quality assurance functions within a single post, including oversight of Independent Reviewing Officers, Child Protection Conference Chairs and the Local Authority Designated Officer function. Ofsted's inspection framework places strong emphasis on the effectiveness of scrutiny, escalation and learning from failure; however, where the same role is responsible for service delivery and internal assurance, there is an inherent risk that oversight becomes self-referential and insufficiently independent.

We consider it important to situate these concerns within the wider history of children's safeguarding in England. The cases of Jasmin Beckford, Victoria Climbié, Aliyah and Nafahat, in which serious shortcomings in children's social services were identified, prompted national concern and led directly to significant legislative and policy reform. These tragedies shaped the modern safeguarding framework precisely because they exposed the dangers of weak professional leadership, insufficient independent challenge and opaque governance. They remain part of our safeguarding legacy and serve as a reminder that strong, professionally led and transparently governed systems are not optional, but essential to protecting children's welfare and preventing organisational convenience from overriding safeguarding imperatives.

We therefore believe there is a strong case for reviewing, at national level, whether the statutory design of the DCS role continues to align with the expectations set out in *Working Together to Safeguard Children* and reflected in Ofsted's framework, particularly in authorities under intervention. Consideration should be given to whether alternative models, with clearer separation between delivery, scrutiny and escalation, are needed to strengthen safeguarding governance and public assurance.

These structural concerns are not abstract. They have direct and immediate consequences when applied in practice, particularly in local authorities already subject to regulatory intervention. The London Borough of Harrow provides a clear and timely illustration of how the routine application of Section 18, within an already questioned system, can amplify safeguarding governance risks rather than mitigate them.

Harrow Children's Services have been judged "inadequate" by Ofsted and are subject to a Department for Education Improvement Notice. Following the sudden departure of the statutory DCS, without public explanation, the council [designated its Managing Director as interim DCS under Section 18](#). There is no public evidence that the post was advertised, that experienced external interim arrangements were explored, or that internal senior children's services professionals were considered.

As a result, a children's service already judged to be inadequate is now led by an interim DCS without specialist safeguarding background, whose corporate responsibilities remain unchanged and who is also the individual to whom concerns about children's services leadership would ordinarily be escalated. For families, this translates into uncertainty, weakened confidence and reduced assurance that children's welfare is driving decision-making.

From our work with families, we know that governance structures matter. When leadership arrangements emphasise technical compliance over safeguarding substance, it is children and parents who bear the consequences.

We therefore urge you to consider whether the Children Act 2004 (and Section 18 within it) remains fit for purpose in its current application, particularly in authorities under Ofsted intervention or subject to Department for Education improvement action. At a minimum, we believe there is a strong case for clearer statutory guidance or legislative amendment to ensure that the designation of a Chief Executive as DCS is genuinely exceptional, tightly time-limited, accompanied by explicit safeguards, and not used as a substitute for professional safeguarding leadership.

We respectfully ask that this issue be considered as a matter of national importance, given its implications for safeguarding governance and for children living in authorities already judged to be failing them.

We are copying this letter to the Chair of the Education Select Committee and to Ofsted in the interests of transparency and shared oversight.

We look forward to hearing from you.

Best regards

Husain Akhtar  
Coordinator  
Harrow Monitoring Group  
*also former Harrow Councillor, and former Inspector of Schools (Ofsted)*

Cc:  
Chair, Education Committee (House of Commons)  
His Majesty's Chief Inspector, Ofsted