

## Children and Families Overview and Scrutiny Panel

### Tuesday, 19 January 2016, County Hall, Worcester - 2.00 pm

#### Minutes

#### Present:

Ms L R Duffy (Chairman), Mrs F M Oborski (Vice Chairman), Mr R W Banks, Mrs J L M A Griffiths, Mr I Hopwood and Mr J W R Thomas

#### Also attended:

Mr J P Campion, Cabinet Member with Responsibility for Children and Families

Sue Ayres (Virtual Headteacher (Interim)), John Edwards (Strategic Commissioner - Education Services), Hannah Needham (Strategic Commissioner (Early Help and Partnerships)), Steph Simcox (Head of Finance and Resources - Children's Services), Simon White (Interim Director of Children's Services), Jodie Townsend (Democratic Governance and Scrutiny Manager) and Samantha Morris (Overview and Scrutiny Officer)

#### Available Papers

The members had before them:

- A. The Agenda papers (previously circulated);
- B. Presentation handouts for Budget and Performance Monitoring: Children and Families (previously circulated)
- C. The Minutes of the Meeting held on 18 November 2015 (previously circulated).

(Copies of documents A and B will be attached to the signed Minutes).

#### 218 Apologies and Welcome

Apologies were received from Paul Denham.

The Panel expressed concern about the non-attendance at meetings of the Co-opted Church Representatives and the Parent Governor Representative (for educational matters). It was agreed that the Scrutiny Officers would contact the representatives to discuss the matter.

#### 219 Declaration of Interest and of any Party Whip

Item 6 – The Educational Attainment of Worcestershire Looked After Children – Councillor Fran Oborski declared an interest as she was Vice-Chairman of King Charles 1 School (Academy).

#### 220 Public

None.

## Participation

### 221 Confirmation of the Minutes of the Previous Meeting

The Minutes of the Meeting held on 18 November 2015 were agreed as a correct record and signed by the Chairman.

### 222 Budget and Performance Monitoring: Children and Families

As part of the Council's consultation process for the 2016/17 budget proposals, the Cabinet Member with Responsibility for Children and Families, the Interim Director of Children's Services and the Head of Finance & Resources Children's Services had been invited to the meeting to discuss:

- latest performance information for 2015/16
- the draft 2016/17 budget.

Following the scrutiny panels' round of budget discussions during November 2015, the Budget Member Challenge Group requested that the panels revisit and agree their comments on the Future Fit savings proposals taking into account the information discussed by Cabinet at its meeting on 17 December 2015.

The draft Report of the Budget Member Challenge Group, incorporating the views of individual scrutiny panels, would be considered by the Overview and Scrutiny Performance Board, at its meeting on 28 January and subsequently passed to Cabinet.

The Head of Finance & Resources Children's Services summarised the Presentation which had already been circulated to the Panel prior to the meeting which covered:

- Key Headlines
- Driving Home Highways Infrastructure Improvement Programme
- The County Council's starting point for financial planning
- How the Medium Term Financial Plan (MTFP) had been updated since February 2015
- How expenditure and income projections were developed
- The indicative funding gap
- Plans to address the indicative funding gap
- The proposed draft MTFP
- Summary capital expenditure plans
- Local Government Finance Settlement update and next steps.

In summary, the position in Worcestershire was that:

- economic growth was continuing to show signs of improvement
- there was continued revenue investment in the key Corporate Plan priorities
- demand pressures on services was the biggest issue and was growing significantly
- the Council's Budget was £327.8m (approximately £1m per day) with £25m savings requirement.
- It would be proposed that Council Tax would increase by 3.94% of which 1.94% would be ring fenced for the pressures of Looked After Children (LAC) and 2% ring-fenced for Adult Social Care to contribute to cost pressures which had been funded by a one-off grant in 2015/16 but unavailable in 2016/17.

Prior to the Local Government Settlement (announced late December 2015), the County Council had a healthy Balance Sheet and were looking at a £2m savings gap. The Settlement however, was very disappointing for Worcestershire. Shire and District councils had been hit hard as Government had shown intent to accelerate reductions and redistribute grant funding away from Shire County's to Metropolitan and London Borough's. Key grants such as the Care Act had been rolled-in effectively at zero to the main Revenue Support Grant.

The latest estimate was an £11m funding gap to add to the £2m gap already in existence. It was thought that the plans to plug gap would mean that there would still be a £2m funding gap remaining.

During the discussion, the following points were made:

- the Children's Services Directorate was going through a period of significant change but the Panel had confidence in the direction of travel. There was however, concerns that despite having a detailed Financial Recovery Plan, there was at present little evidence of the changes impacting positively on the £5.8m overspend.
- The Panel emphasised the importance of ensuring that, when the Interim Director and Assistant Director were replaced on a permanent basis, the appointees continued with the current direction of travel to allow for the impact of the changes to benefit the Directorate and ensure its ongoing stability.
- The Panel welcomed the protection offered to

Children's Service's by the proposed 1.94% increase in Council Tax to bridge the £5 million shortfall. From a corporate parenting point of view this was great news. However, the Panel expressed concern that this overspend was a repeat of last year's situation and felt it was not clear what the benefit of last year's additional money had been.

- The situation appeared to be further complicated by the fact that there remained a £6.3 million funding gap in Children's Services with further cuts needed to bridge this gap. It was not yet clear where this additional money would be found. So, although £5 million was being added to budget for looked after children, at the same time, £6.3 million would be taken elsewhere from Children Services budgets. There was concern that budgets for preventative services would be targeted for further cuts which might in the long run increase pressure on services for looked after children.
- The Scrutiny Panel acknowledged that the Service might not need all of the additional £5 million but also recognised that the Council had a statutory duty to LAC in the County. The figure of £5 million is based on last year's spend and would allow the Service to maintain the status quo.
- The Panel also acknowledged concerns expressed at full Council in January about the use of external fostering agencies. The Panel had met earlier in the year with the Interim Head of the Fostering Service who had updated Members on ongoing work to bring foster carers in-house and reduce the reliance on external agencies. The Panel would receive a further update in the autumn following the appointment of a permanent Head of Service.

In terms of the Balanced Scorecard, the Panel were very concerned about the increased number of permanent exclusions in primary schools and stressed the importance of understanding why children in this age group were being excluded and whether they had timely access to services which could offer the relevant support required to avoid exclusion.

**223 Children with Disabilities - Commissioning**

The Strategic Commissioner was invited to the meeting to discuss future commissioning plans for services for children with disabilities.

## Update

The County Council currently commissioned a variety of community short break services and overnight short breaks for children and young people with disabilities.

The current provision of short breaks was in compliance with the Children's Act 2006 statutory regulations for Children in Need and in particular: Section 25 of the Children and Young Persons Act 2005 required local authorities to provide Short Breaks for Disabled Children, and the Breaks for Carers of Disabled Children Regulations 2011.

Worcestershire provided a variety of specialist short breaks services for eligible children and young people who require support after assessment of their needs (assessment undertaken by Children's Social Care), and community short breaks that were accessed on a self-referral basis. These were in addition to universal and targeted services delivered by providers from all sectors.

Specialist short breaks provision were jointly commissioned and funded by the Local Authority (LA) and Clinical Commissioning Groups (CCGs) and delivered through:

- Family based residential and 1:1 support worker provision delivered through a framework of preferred providers and funded through LA budget
- Specialist summer holiday playschemes (through special schools and voluntary sector providers) funded by LA, with a contribution from CCGs
- Residential stays at 4 Short Breaks Units:
  - at Providence Road, Bromsgrove and Moule Close, Kidderminster run by the Local Authority with the budget from the LA
  - at Ludlow Road Kidderminster and Osborne Court, Malvern run by Worcestershire NHS Health and Care Trust (HACT) with the CCGs budget.
- The County Council intended to conduct a detailed needs assessment of services for children with disabilities to ensure that planning for future demand was undertaken.

During the ensuing discussion the following points were made:

- In 2013, Scrutiny had been involved with the consultation on the redesign of the Council's provision of residential overnight short-breaks for children with disabilities in Worcestershire (Moule Close, Kidderminster and Providence Road,

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Bromsgrove). The Consultation on this very specialist provision had caused a great deal of distress to the parents of the children and young people who used these facilities and so the Panel urged that:

- Scrutiny should be involved all the way through this process and would like the opportunity to observe parent discussion workshops
- The Consultation should ensure that everyone using the facilities being consulted on should have the opportunity to express their views.
- That the communication process was handled in an open, transparent and sensitive manner in order to mitigate parents immediately feeling like the Consultation was all about the withdrawal of provision.

The Strategic Commissioner – Education and Skills and the Interim Virtual Headteacher were invited to the meeting to discuss the educational progress of Looked After Children (LAC) who had been in care for more than 12 months and the role of the Virtual Headteacher.

Nationally, LAC were an underachieving group. Closing the gap between the attainment of LAC and all young people was a high priority nationally and locally. To support this priority, the Government had put the Virtual Headteacher role on a statutory footing to signal how important it was for everyone to champion the education of LAC, wherever they were placed. The Virtual Headteacher would ensure the educational attainment of the children they look after was tracked and monitored as if the children attended a single school.

In April 2014, additional funding via the pupil premium was introduced for LAC. Local authorities were allocated funding of £1,900 based on the number of eligible looked after children from the first day of care rather than, as previously, six months. The distribution of Pupil Premium funding had to relate directly to targets relating to improved progress in the Personal Education Plan.

During the discussion, the following main points were made:

- The cohorts reported on nationally were those LAC in care to Worcestershire who had been looked after for 12 months or more. In Worcestershire the cohorts were small in each Key Stage so one pupil not achieving could have

a profound effect on overall performance. Another significant factor which impacts on educational outcomes was the higher than average percentage of looked after children identified as having Special Educational Needs and Disabilities (SEND) which at 75% in January 2014 was higher than statistical neighbours at 70% and the national figure of 67%. For comparison the percentage of their peers with SEND was only 20%.

- The gap was not narrowing sufficiently at Key Stage 1 or at Key Stage 4, although there had been slight improvement between looked after children and their peers at Key Stage 2 from 2013 to 2014. However they were still 12 percentage points (ppts) below their statistical neighbours and 13 ppts below looked after children nationally.
- The Virtual Headteacher was the lead responsible officer for ensuring that arrangements were in place to improve the educational experiences and outcomes of the Authority's LAC, including those placed out of County.
- There were three key cohorts of children for whom the Virtual Headteacher had to have knowledge. Those who were in care to Worcestershire and were educated in Worcestershire schools, those who were in care to Worcestershire but educated out of the authority and those children placed in Worcestershire schools, who were in care to other local authorities. For reporting purposes data however was only collected on those children who were in care to Worcestershire.
- There were three key areas of responsibility for which the Virtual Headteacher was accountable
  - To make sure that there was a robust system to track and monitor the attainment, achievements and progress of looked after children
  - To ensure that all LAC had a robust and effective PEP and access any additional support to improve their attainment
  - To champion the educational needs of LAC across the Authority and those placed out of authority.
- All schools were subject to the same accountability framework and scrutinised by OFSTED whether they were maintained by the Local Authority or had Academy status.
- Some of the £1900 Pupil Premium was centrally retained until the PEP had been quality assessed.
- It would be helpful if the Virtual Headteacher was

aware of who the named governors were for LAC in all schools and vice-versa.

- It would be helpful if the statistical data presented in Appendix 1 of the report could include numbers of pupils as well as %'s.
- Progress from Key Stage 2 to Key Stage 4 for all pupils in English and Maths combined was significantly above expectations. This was the case for children who were not LAC in each of these subjects as well as combined.
- It was suggested that Worcestershire may be able to learn from some of its statistical neighbours such as Staffordshire, Warwickshire, Herefordshire and Stoke (not a statistical neighbour).
- Raising the profile of the Virtual Headteacher through the Corporate Parenting Board and working with social care partners was recommended.

It was agreed that a report back on progress would be made to the Panel in September 2016.

The meeting ended at 3.30 pm

Chairman .....