

Children and Families Overview and Scrutiny Panel

Thursday, 17 March 2016, County Hall, Worcester - 10.00 am

		Minutes
Present:		Ms L R Duffy (Chairman), Mrs F M Oborski (Vice Chairman), Mr B Allbut, Mr R W Banks, Mr P Denham and Mrs J L M A Griffiths
Also attended:		Mr M J Hart, Cabinet Member with Responsibility for Health and Well Being Mrs E B Tucker Jane Stanley, Worcestershire Healthwatch Hannah Needham, Strategic Commissioner (Early Help and Partnerships) Frances Howie, Interim Director of Public Health Simon White, Interim Director of Children, Families and Communities John Edwards, Head of Education and Skills Catherine Crooks, Schools and Settings Effectiveness Lead (Babcock) Jodie Townsend, Democratic Governance and Scrutiny Manager and Alyson Grice, Overview and Scrutiny Officer
Available Papers		The Members had before them: A. The Agenda papers (previously circulated); B. The Minutes of the meetings held on 19 January 2016 and 1 February 2016 (previously circulated). A copy of document A will be attached to the signed Minutes.
230	Apologies and Welcome	Apologies were received from Ian Hopwood, John Thomas, Charmian Richardson and John Campion (Cabinet Member with responsibility for Children and Families).
231	Declaration of Interest and of any Party Whip	Item 8 Children 'Educated Otherwise' Councillor Lynne Duffy declared an interest as a provider of alternative education. She informed the Panel that the Vice Chairman would Chair the meeting for item 8.
232	Public Participation	None.

233 Confirmation of the Minutes of the Previous Meeting

The Minutes of the Meetings held on 19 January 2016 and 1 February 2016 were agreed as a correct record and signed by the Chairman.

234 0-19 Prevention Service and Children's Centres

The Cabinet Members with Responsibility for Health and Well-Being, and Children and Families, the Interim Director of Public Health and the Strategic Commissioner (Early Help and Partnerships) had been invited to the meeting to discuss the development of the new 0-19 integrated prevention service for children, young people and families (Starting Well Service) and feedback from the recent consultation on the use of Children's Centre buildings.

By way of introduction, the Interim Director of Public Health and the Strategic Commissioner (Early Help and Partnerships) made the following points:

- The tender specification was currently on the County Council's tender portal and was open for people to make bids to run the service. The specification (which had been included in the agenda papers) included a great deal of technical detail.
- The new service would roll together areas of spend that had previously been commissioned separately to create an integrated service with a better skill mix, providing a strong universal offer, including childhood checks, identifying those who might need more support and help.
- Concerns had been expressed that the previous service may not always have reached those who were most in need.
- A factual summary outlining the results of the consultation on the use of Children's Centre buildings had also been included in the agenda papers.
- The next stage would be to hold further discussions with those respondents who had suggested alternative ideas for using Children's Centres.
- The extent to which the Starting Well service would make use of Children's Centre buildings would not be clear until all of the tenders had been evaluated.

Members were given an opportunity to ask questions. The following main points were raised:

- Although the services to be provided were outlined in the specification, it was not yet clear what additional services providers might choose to offer. The full range of services to be provided would not be clear until the tenders were received.
- It was confirmed that focus groups had been held to establish what services people currently liked. Formal consultation on any service reduction would be held at the next stage.
- Members were informed that service improvement was a strong driver behind the changes as a result of the evidence provided by the Early Help Needs Assessment (EHNA). The EHNA would have been completed even if the Council was not facing budget reductions. However, financial reductions were also a driver in the service re-design.
- The total budget for the new service was £9.8 million. It was difficult to say how this compared with previous spend on these services, as budgets that were previously separate were now being integrated. However, it was estimated that this figure represented a reduction of 12.5%. Members were reminded that this information had been included in the Council's medium term financial plan.
- Paragraph 1.2.3 of the service specification stated that there was good evidence for the cost effectiveness of prevention and early intervention programmes, which could be shown to save money in the longer term. It was suggested that it was odd to reduce spending in an area that showed such value for money and could save the Council money further down the line. In response, although it was acknowledged that prevention was better than cure, these potential savings could not easily be shown as cashable savings.
- The detail of how the service would be delivered would not be known until the tenders were received. The tender process asked those who were interested in bidding to tell the Council their plans. The specification was clear that the Council would not hold potential providers to using the existing buildings. It would be for the incoming provider to decide how many buildings it wanted to use and for what purpose. Once it was clear what the Starting Well service would look like, it would then be possible to assess the impact on the use of buildings in local communities. If there was to be a significant impact on a local community, further consultation would be held

from June onwards. The Cabinet Member confirmed that local members would be included in any consultation.

- Figures on the County Council's capital investment in Children's Centre buildings were not available at the meeting but the Strategic Commissioner (Early Help and Partnerships) agreed to provide these after the meeting.
- With reference to Wyre Forest it was suggested that, if the current provider of services at Children's Centres was not part of the preferred bidder for Starting Well, and the successful bidder did not want to use the current Children's Centre buildings, this could mean that those services would have to stop.
- It was confirmed that the service would be run on a 'prime provider' or consortium model, with a common core across the County together with a tailored local offering. The service would be commissioned through one contract rather than the 6 separate contracts that currently existed.
- The specification had asked for an easily accessible service, although the details of this would depend on who the successful bidder was. It would include a virtual front door providing advice and guidance, as well as telephone access. Access may also be developed through the use of apps, and 'talking heads' (ie Skype). There would not be one route for all – service users would be able to use different routes and media to access services.
- There was a need to acknowledge that the service provided would be the one that the Council could afford. Extensive face to face advice was good to have but evidence suggested that this was not always the best approach for families. It may be more effective and empowering to encourage self-sufficiency through peer to peer support, community parenting and helpers or buddies.
- Members were reminded that the consultation had been with people who currently used the Children's Centres. Therefore it was not surprising that they wanted services to continue.
- Concern was expressed about the reliance on volunteers. It was recognised that the training of volunteers would be important.
- It was confirmed that health assessments for looked after children would be part of the Starting Well service. Subject to data sharing legislation, it was suggested that performance information on services in relation to looked after children should

- be shared with the Corporate Parenting Board.
- A question was asked about services for children over the age of 5, as there appeared to be a heavy emphasis in the specification on 0-5s. In response, it was confirmed that the exact nature of services to be provided would only be clear once bids were received. Members were reminded that schools also had a role in this area, in particular in relation to pupil premium funds. Further work would be carried out, including the development of a service directory for young people and online resources for teachers. Concern was expressed at the suggestion that schools may be asked to use some of their already stretched budgets to support this work.
 - In response to a question about the future capacity of the service given the number of houses to be built in Worcestershire in coming years, it was confirmed that the results of the Early Help Needs Assessment, including information on projected demographics, had been shared with potential bidders. In relation to future demand management, it was acknowledged that there was further work to do to better understand the implications of demographic growth and what the Council's response would be.
 - It was confirmed that special schools were not within the scope of the Starting Well service. Mainstream school nursing was included in the scope, but there was a separate school nursing service for special schools which was commissioned using health money.
 - Concern was expressed about access to the service for those living near the County's borders. It was confirmed that the service was for those resident in Worcestershire, but that some services provided in schools would be for those attending school in Worcestershire. This would be an issue for the service providers to work through in due course.
 - It was confirmed that those attending free schools would have access to the service. It was acknowledged that there was an issue in relation to access to services for children who were educated at home.
 - The issue of children educated in non-registered schools was raised. The Interim Director of Children's Services confirmed that this was an issue that Ofsted was very conscious of. Ofsted had asked local authorities to take legal action to close down all un-registered schools.

- It was confirmed that national tools would be used to identify when intervention was needed. From a safeguarding perspective, there was also threshold guidance from social care.
- It was confirmed that the service provider would be asked to target areas of deprivation, something that would be emphasised in regular monitoring meetings. Data showed that poor performance in relation to school readiness, childhood obesity, young people and alcohol, hospital admissions and teenage pregnancies was concentrated in areas of disadvantage. The countywide picture was in line with national averages but, by looking at district data, health inequalities were clearer.
- It was confirmed that the results of the consultation on the use of Children's Centre buildings had been included in the tender pack. However, there had been a need for caution on the level of detail included, as feedback was anonymous and some responses may have included identifying information.
- It was confirmed that the consultation had aimed to generate ideas on the future use of the buildings and it was felt that local members (rather than the scrutiny panel) were best placed to do this, using their local knowledge. The Cabinet Member for Health and Well-Being confirmed that he would take advice from Democratic Services on the involvement of the scrutiny panel in future consultations.
- A member of the Panel reported that two people had told him that they had been unable to complete the online consultation document as they were not parents of relevant aged children. Officers had not previously heard of this issue and confirmed that respondents did not need to be a parent in order to complete the form. Members were informed that significant testing of the online document had been carried out. The Strategic Commissioner (Early Help and Partnerships) agreed to look into the specific examples further.
- It was confirmed that no County Council staff would be made redundant as a result of service change as all of these services were already delivered through external providers.
- The contract for the Starting Well service would run for 5 years with a break clause included. Oversight would be through a matrix management approach, led by public health but including children's services and NHS colleagues. The budget would sit within public health.

- Performance information would be reported via the KPIs included in the tender pack. It was agreed that the scrutiny panel would wish to see these KPIs annually.
- Although it was acknowledged that this was a challenging tender, market engagement had identified interest from in the region of 40 people.
- In response to a question about why the launch of the tender had been delayed, Members were reminded that this was a very complex piece of work and it was important to get it right. It was suggested that the original timetable had been over-ambitious and it was important to delay slightly in order to get the specification absolutely clear. It was confirmed that some space had been built into the timetable and the time allowed for bidders to complete their bids remained the same.
- It was difficult to say how bidders would react to potential public concern about the possible closure of a Children's Centre. This was currently hypothetical and further risk assessments would be carried out once the tender evaluation was completed in June.
- It was suggested that, although there would be no local authority redundancies, there remained potential for communities to be upset if local Children's Centre staff lost their jobs.
- Given the very complex nature of the service, a question was asked about alternative plans should no suitable bidders respond. The Cabinet Member for Health and Well-Being said that this remained hypothetical at this stage. It was confirmed that relations with current providers remained good and they would continue to provide services outside of the Starting Well service.
- It was agreed that the Scrutiny Panel would wish to receive a report on the Stronger Families programme as soon as possible.
- Members were informed that the proposed inspection regime for Children's Centres had been put on hold. Latest news was that there would be a consultation held in the summer.
- It was confirmed that, although there would be links with the Starting Well service, positive activities would remain a separately commissioned service. An update on this would be brought to the Overview and Scrutiny Panel shortly.
- Concern was expressed that in November Cabinet

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had resolved that:

authority to approve the final specification, tendering and contractual decisions and future use of buildings for such an integrated prevention service be delegated to the Director of Adult Services and Health in consultation with the Director of Children's Services and the Cabinet Members with Responsibility for Children and Families and Health and Well-Being.

- It was felt that these decisions should be brought back to Cabinet for agreement rather than being made under delegated authority, especially given the fact that there may be two new Directors in post by the time decisions are made.

The Panel agreed that:

- It would wish to receive a further report on the Starting Well service once the tender had been awarded in June; and
- It would wish to recommend to the Leader of the Council that decisions on the Starting Well service be made at Cabinet rather than through delegated authority.

It was also agreed that:

- The Panel would receive an update on the Stronger Families programme as soon as possible; and
- An update on Positive Activities would be brought to a future Panel meeting.

The Children and Families Overview and Scrutiny Panel was asked to:

- a) Consider the programme agreed by the Overview and Scrutiny Performance Board (OSPB) for developing the 2016/17 Work Programme; and
- b) Consider suggestions for inclusion in the Overview and Scrutiny Work Programme for 2016/17.

During the discussion, the following suggestions were made for possible scrutiny topics:

- Social mobility in Worcestershire (following a recent report that showed that Wychavon had one of the worst records on social mobility in the country)

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- Anti-bullying (revisiting the work of the 2008 scrutiny task group)
- Review of the Starting Well Service
- Stronger Families
- Positive Activities
- Access to education (with reference to school and other transport)
- West Mercia Police - response to recent inspection report re absent/missing children, CSE and safeguarding
- WSCB (new Chair and Protect Agenda – training re CSE)
- Future role of the local authority (in relation to place planning, education for LAC and responsibility for school improvement)
- Childhood obesity

It was agreed that these suggestions would be forwarded to OSPB for consideration at its April meeting.

The Head of Education and Skills and the Schools and Settings Effectiveness Lead (Babcock) had been invited to the meeting to provide an update on educational outcomes for children and young people educated in Worcestershire schools for 2015.

By way of introduction, Members were reminded that a member seminar on 2015 educational achievement would be held in April. Although it may seem quite late to be holding the seminar, given that the 2016 exam season was due to start soon, validated data was not available until mid-January, so it was difficult to provide any useful information any earlier in the year.

During the discussion, the following main points were made:

- The movement of all schools to academy status would not effect the reporting of data. Currently 24 out of 28 high schools in Worcestershire were academies and data was still collected from all.
- From the summer of 2016 all reporting mechanisms would be changing, so there would be an issue with matching data over time.
- Even if a school became an academy, its pupils would still have to take statutory tests and so the national data point would remain.
- It was confirmed that the Chancellor of the Exchequer's announcement that all schools would become academies would also apply to special

schools.

- The issue of school readiness was raised. It was confirmed that in reception, PSHE was measured via the criteria outlined in the early learning goals.
- It was suggested that the education system was on the cusp of substantial change in relation to school organisation and academy status. In Worcestershire, it was important to remember:
 - 88% of schools were judged by Ofsted to be good or outstanding
 - At KS4 results were 7% above the national average
 - The county's Achilles heel was the attainment gap between disadvantaged and non-disadvantaged pupils.
- It was also important to remember that the local authority had never had control of schools in Worcestershire. Although the LA did not have a mandate to go in to all academies, where an academy was in difficulty, the authority would offer support. It was acknowledged that the LA could not control what was taught in an academy. However, Members were reminded that all schools were mindful of the Ofsted framework. It was suggested that, generally, things had not changed since the introduction of academies. For example, the length of the school day, term times, and staff terms and conditions had generally remained the same.
- Concern was expressed about the limit on the number of people with a link to the local authority who could serve on an academy's governing body. It was suggested that this was a particular problem for small schools and was leading to a loss of experienced governors.
- The Head of Education and Skills informed Members that he was meeting representatives of the DfE next week and would raise areas of concern. He agreed that issues of governance were key.
- It was suggested that the majority of primary schools would become part of multi-academy trusts. Indeed, the DfE had recently suggested that it would not accept any more single academy applications and would expect all new applicants to be part of multi-academy trusts.
- Concern was expressed about results for 16 to 18 year olds in the county. It was confirmed that the results reported related to academic A levels. Separate data on vocational qualifications was available. Results at grades A and A* were

causing particular concern, although figures for points per pupil were above the national average. It was suggested that, when inspecting secondary schools, Ofsted would focus on GCSE results rather than post-16.

- Further concern was expressed about Key Stage 2 results, A level results and the attainment of pupils eligible for pupil premium. Given the county's demographic profile, results would be expected to be higher.
- The 2 tier/3 tier issue was discussed. At KS2 in the 2 tier system results were in line with the national average. In the 3 tier system, results were below the national average, matching results in 3 tier systems elsewhere in the country. However, this could not simply be seen as 2 tier schools doing better than 3 tier, as in some areas of the county 3 tier schools did as well as their 2 tier counterparts.
- It was confirmed that being below floor targets at KS2 did not necessarily mean that a school would be seen as failing by Ofsted.
- It was accepted that attainment at KS2 was an issue for the Council, but it was suggested that this would be more of an issue if attainment was also below the national average at KS4.
- It was suggested that, although attainment at KS4 had improved, attainment gaps had not narrowed, as attainment had gone up across the board. As results had improved, young people had developed higher aspirations.
- It would be important to ensure that schools were aware of the data and aware of effective practice.
- Members were reminded that figures for 16-18 NEETS were now significantly below the West Midlands average.
- With reference to the Summary Overview on page 132 of the agenda, it would be helpful to have the figures for disadvantaged children and LAC on the same page for ease of comparison.
- If KS2 results were below average but KS4 results were above average, this would suggest that high schools were doing well. It was suggested that, although pupils in the 3 tier system had an additional transition, they had made expected progress by the end of year 7.
- It was confirmed that the Council would lose responsibility for school improvement by 2022 when all schools would become academies. It was suggested that, having commissioned out

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learning and achievement services to Babcock, the authority was in a good position to facilitate the change of commissioning responsibility from the local authority to schools.

It was agreed that, given ongoing uncertainty in relation to the local authority's role in schools, it would be important to keep the Overview and Scrutiny Panel informed as the situation developed. An item on the future role of the local authority (in relation to place planning, education for LAC and responsibility for school improvement) would be added to the 2016/17 scrutiny work programme.

The Chairman declared an interest in this item as a provider of alternative education. The Vice Chairman chaired the meeting for item 8.

The Head of Education and Skills, and the Schools and Settings Effectiveness Lead (Babcock) had been invited to the meeting to provide an update on provision for young people of compulsory school age defined as being 'educated otherwise'. It was explained that this term referred to learners who were in receipt of alternative provision (including hospital or medical education), and elective home education.

Members were given an opportunity to ask questions and the following main points were raised:

- It was confirmed that the local authority held a register of all those children who had been de-registered from school and were currently home educated. The local authority would carry out initial checks to ensure the appropriateness of the curriculum but, beyond this, it had little scope to inspect provision. This was a significant concern and the Independent Chair of the Worcestershire Safeguarding Children Board had recently written to the Department for Education expressing the Board's concern. The DfE had replied twice to say that it was looking into the issue. It was acknowledged that the local authority was not able to force parents to allow visits to assess the quality of provision for home educated children.
- It was confirmed that, in the case of home educated children, the duty to provide learning rested with the parents and the local authority provided a comprehensive set of guidance.
- A question was asked about who was responsible for checking safety, DBS checks and other

safeguarding issues when a school directly commissioned an alternative provider. It was suggested that these providers were often small local businesses who were looking to diversify, but it was not clear who was responsible for ensuring they met necessary standards.

- It was confirmed that the local authority held a list of alternative providers which showed where DBS checks had been undertaken. It was agreed that the list would be shared with the Panel.
- Concern was expressed that there was currently no Ofsted inspection of alternative providers and it was confirmed that this concern had been raised in the WSCB's letter to the Department for Education.
- Members were informed that social workers were also aware of the safeguarding risk in relation to home educated children as this was a national issue. If concerns were raised, a referral to social care could be made and this would include the usual statutory abilities to intervene.
- Further concern was expressed about those families who never register a child with a school and those who move around regularly.
- It was confirmed that, where a child had a statement of Special Educational Needs or an Education Health Care Plan and was also home educated, the statement/plan was monitored rigorously.
- Members were reminded that the local authority had moved away from PRUs to alternative provision schools. The aim was to get the heads of all the alternative provision schools to work together towards achieving zero exclusions.
- It was confirmed that 95% of families who home educated had agreed to a home monitoring visit by the local authority. It was suggested that the remaining 5% of children should be seen as children at risk. Although the initial home visit provided reassurances and social care also provided a route to protect the child, it was agreed that in some cases there was a gap in what the local authority could do.
- Members expressed concern about the Council's lack of authority to monitor all children and it was confirmed that the issue had been raised on more than one occasion at the WSCB. Given current figures the 5% of children in families who had not agreed to a home monitoring visit could represent 12 children who might be seen as the 12 most vulnerable children in the County.

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The meeting ended at 12.20 pm

Chairman