

Children and Families Overview and Scrutiny Panel

Wednesday, 6 March 2019, County Hall, Worcester - 10.00 am

Present:

Minutes

Mrs F M Oborski (Chairman), Mrs J A Potter (Vice Chairman), Ms P Agar, Mr T Baker-Price, Ms R L Dent, Mr S J Mackay and Ms T L Onslow

Also attended:

Mr M J Hart, Cabinet Member with Responsibility for Education and Skills
Mr A C Roberts, Cabinet Member with Responsibility for Children and Families
Anne Duddington, Representing Healthwatch Worcestershire

Emma Brittain (Service Manager for FFD & Partnerships), Nick Wilson (Interim Assistant Director - Education and Skills), Penny Richardson (Interim SEND Group Manager), Samantha Morris (Scrutiny Co-ordinator) 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 11 January 2019 and 29 January 2019 (previously circulated).

(A copy of documents A will be attached to the signed Minutes).

360 Apologies and Welcome

Apologies were received from Mr R W Banks, Mr P M McDonald, Ms C Driscoll and Ms T Russell.

361 Declaration of Interest and of any Party Whip

Mr S J Mackay declared that he had a close relative who was a looked after child in another Local Authority.

362 Public Participation

None.

363 Confirmation of the Minutes of

The Minutes of the Meetings held on 11 January 2019 and 29 January 2019 were agreed as a correct record and signed by the Chairman.

the Previous Meetings

364 Children's Social Care Service - Ofsted Monitoring Visit Feedback

The Cabinet Member with Responsibility for Children and Families and the Service Manager – Family Front Door and Partnerships had been invited to the meeting to provide an update on the outcome of Ofsted's seventh monitoring visit of the Council's children's safeguarding services.

The Chairman noted that the visit had taken place in January 2019 and the next visit from Ofsted would be a full inspection in the spring. The exact date of the inspection had not yet been confirmed.

In the discussion that followed, the following main points were raised:

- In response to a question about the percentage of temporary and permanent team leader posts, it was confirmed that there was currently only one vacancy with two posts having recently been filled. Although these staff were new to the Authority they were very experienced and would be expected to operate as Managers from day one. Recruitment for other social care staff was ongoing and with regard to the workforce, the Authority was currently in the strongest position for the last two years.
- It was confirmed that this monitoring visit had focussed specifically on children at risk of CSE (child sexual exploitation) and going missing. In relation to county lines, multi-agency partnership work was ongoing as part of the 'Get Safe' agenda.
- Members were reminded that the Authority employed three permanent Missing Return Officers who carried out welfare return interviews with missing children. They also spoke to parents and carers to evaluate what would be the best response to each incident. Intelligence was used to identify patterns and trends to inform the 'Get Safe' agenda.
- A Member questioned Ofsted's comment that good practice was not sufficiently embedded and reflected in case recording when seeking children's views. The Panel was advised that although views were sought they were not always recorded which was important in order to provide clear evidence for decisions taken.

- Concern was expressed that some CSE risk alerts were not on children's files. Members were informed that this was not the situation across all cases and work was ongoing to reinforce practice standards. Permanency in the workforce would help with consistency of practice.
- Concern was expressed about delays in holding multi-agency child exploitation (MACE) meetings. Members were reminded that the police also had a lead role in this. A new DCI (Detective Chief Inspector) had recently been appointed as Chairman of the 'Get Safe' Board and officers were hopeful that this new relationship would further improve the situation.
- Although other agencies were involved in this work, Local Safeguarding Children Board procedures were clear that the police and local authority social care were the two lead agencies.
- It was pointed out that the Ofsted letter referred to partnership working between the police and social workers as 'increasingly well developed'. This partnership working was not new, and the police were trusted partners. Members were reminded that information was shared at a triage session which took place every Monday to discuss children vulnerable to going missing and CSE. Officers were now looking to develop this in the wider context of county lines. Different agencies were currently identifying children in different ways and there was a need to embed greater consistency.
- Members were informed that previous practice had been for children aged 16+ to have a care plan as well as a pathway plan, but the two plans did not consistently align. There had been a shift in practice which meant that they now only needed a pathway plan. Good practice was for the plan to be written in language a young person would understand and to avoid social work jargon. Good examples would be used to spread good practice.
- It was confirmed that the reference to care and pathway plans not reflecting young people's current living arrangements was an isolated incident.
- Concern was expressed about the number of NEETs (not in education, employment or training) and ineffective partnership working between schools and social care. It was confirmed that there was a direct correlation between those

children being criminally exploited and those who were out of education. Children who were caught carrying weapons by schools would be excluded and this would increase their vulnerability. These issues were being discussed with the Safeguarding Advisor – Education and the Virtual Headteacher.

- Concern was expressed that Babcock Prime had disbanded its Post-16 Engagement Team.
- It was suggested that some of the most vulnerable children were those who had been withdrawn for home education. It was confirmed that following the recent admissions round for secondary schools, a data exercise would be carried out to track those who were in the education system.
- ‘Missing Monday’ multi-agency meetings focussed on children who were known not to be in education. Discussions would cover approximately 11 children per meeting and generally these were male and in Year 11. The meetings would also look at the cases of all those permanently excluded, including 8 children who had been permanently excluded from primary school. The Authority’s ambition was to eliminate primary permanent exclusions as it was recognised that this was very detrimental to a child’s life chances.
- With reference to county lines, the majority of children involved were male and had been the subject of fixed term or permanent exclusions. Work was ongoing to track exclusions across all schools and identify patterns of behaviour.
- Members were informed that a full Ofsted Inspection of further education and skills provision had recently taken place. As part of this, Ofsted had concluded that the County did not have a problem with ‘off-rolling’. Putting a child on a part-time timetable should be a rare occurrence and should always be time-limited.
- It was confirmed that work to eliminate primary school exclusions included working with a small group of headteachers to develop a strategy on exclusion. Officers were also looking at individual children and had identified that many also had social care intervention. The Authority had also commissioned services from Pupil Referral Units (PRUs) to work with schools to avoid exclusion.
- A question was asked about whether primary PRUs in the County were full. In response, it was suggested that it was more the case that mainstream schools were not inclusive enough

and needed support to re-integrate children into their schools. There was a danger that a 'shadow system' of alternative provision was being created. A change of mindset was needed to ensure there were no permanent exclusions from primary schools.

- A Member suggested that it was clear that there was a great deal of excellent work going on. She suggested that exploiters would target children who were not at school and went on to express particular concern about part-time timetables. Those looking to exploit children were aware that if children did not go to school they would bring themselves to the attention of the Authorities. However, children on a part-time timetable could attend school but still have time to be exploited.
- The Service Manager for FFD & Partnerships informed Members that to date most children involved in county lines activity were already known to the authorities. However, more recently referrals were being seen of children who had not previously been on the radar, as gangs tried to exploit those who were not known to the authorities. She pointed out that this could be anyone's child.
- With reference to foster carers' skills and resilience, the Panel had heard at a previous meeting that training had been arranged. However, the Ofsted letter suggested that a problem remained. It was confirmed that Ofsted had expressed concern about how well-equipped foster carers were to prevent placement breakdown. Work was at an early stage and progress was being made but this was not evident in the cases that Ofsted had looked at. Training had been provided on children missing from home and care, but it was acknowledged that there was further work to do to support foster carers in dealing with challenging situations. Robust plans needed to be in place to ensure that foster carers were not isolated. It was confirmed that the training was not mandatory but had been well attended. It was agreed that levels of attendance would be confirmed after the meeting.
- The Cabinet Member with Responsibility for Children and Families reminded Members that the report was positive in that it was clear that plans and resources were in place. From a negative point of view, children's social care was not yet good in every aspect and that was a challenge.
- He also pointed out that the terminology around

365 Progress Update on Joint Local Area Special Educational Needs and Disability (SEND) Written Statement of Action/Improve ment Plan

children's social care was complex. For example, a child 'missing' could mean different things in different contexts.

- The Cabinet Member was reassured that a great deal of strategic partnership work was being done to identify young people at risk of being exploited (including gangs, county lines and CSE) but this was not yet fully developed. He went on to suggest that this could be the subject of further work by this Panel and by the Corporate Parenting Board.
- The Ofsted letter referred to the caseloads of 'most' social workers being manageable. Members were informed that Ofsted had generalised from conversations with a small number of social workers, one of which had temporarily taken on additional duties. Social work caseloads had been reduced but this would fluctuate from time to time depending on staffing levels.
- It was confirmed that the lack of management challenge to poor social work practice did not specifically refer to agency staff. Members were reminded that cases were fluid and, as things changed, a change of action should be evidenced in the notes. Managers needed to ensure that they recorded why they made decisions including any ad hoc conversations.
- Members were reminded that Ofsted had noted that no child was at risk and social workers knew children well and understood the risks. Recording and tracking of decisions needed to be improved.

The Cabinet Member with Responsibility for Education and Skills and the Interim Assistant Director – Education and Skills had been invited to the meeting to update Members on progress in relation to the Joint Local Area Special Educational Needs and Disability (SEND) Written Statement of Action/Improvement Plan.

The Written Statement of Action/Improvement Plan was due to be discussed by Cabinet on 14 March and the Panel considered the draft Cabinet agenda report. During the discussion, the following main points were made:

- Concern was expressed that the Cabinet report was not clear in relation to action and timelines. It also appeared that much of the action detailed relied on Babcock Prime for delivery. This was a concern when many schools, especially

academies, were choosing not to use Babcock Prime.

- In response, Members were informed that behind this information was a more detailed report which included Red, Amber, Green (RAG) ratings and timescales. It was agreed that this more detailed information would be shared with the Panel for future updates. Members were informed that improvement work was not solely reliant on Babcock Prime, although Babcock were doing a very good job.
- Further concern was expressed that the number of acronyms in the report made it difficult to read. It was agreed that future reports should include a glossary of acronyms and terms.
- In relation to the displacement of families from London due to local authorities looking for cheaper accommodation, it was confirmed that funding would follow the child.
- The Chairman of the Panel reported her experience that there was a significant shortage of places within specialist settings in the County and expressed concern that this shortage had damaged parents' and carers' faith in the Local Authority. She suggested that, when a new special school had been built in Wyre Forest, it was clear that it would not be big enough for future demand and this has proved to be the case. Although it was acknowledged that some secondary schools were not sufficiently inclusive, at the same time there were not enough spaces in special schools.
- The Interim SEND Group Manager reminded the Panel that nationally 1.4% of children attended a special school. In Worcestershire this figure was 1.9%, representing an additional 386 children over the national figure. In relation to funding, it was important to remember that there was a finite budget and the system of decision making was very well-regulated. The Council needed to look at demand management and re-balance the relationship between mainstream and special schools.
- In response to a question about the proposal to establish an additional special school in the County, Members were informed that this was to accommodate children diagnosed with autism (covering difficulties with social skills, anxiety and communication) which was considered the hardest special need to meet. A bid for the new school had been submitted to the Department for

Education (DfE) and a response was expected soon. The aim was to reconceptualise what good provision looked like via the 'hub and spoke' model. It was confirmed that, if approved, the new special school would be situated in Malvern.

- It was suggested that there were currently some gaps in provision which left parents frustrated and not trusting the system. This was acknowledged and, in response, it was suggested that there was a need to build confidence and skills in the mainstream sector. This was the biggest focus of the improvement plan, with Babcock leading in a very effective way, working with both maintained schools and academies. The aim was to empower SENCOs in mainstream schools.
- A recent training event had highlighted the lack of coverage of SEND issues in Initial Teacher Training (ITT) courses, meaning that new teachers were often inexperienced. This had led to a commitment from the University of Worcester and Chadsgrove Special School to strengthen coverage of SEND issues in ITT. Chadsgrove had also committed to discuss this with other teaching schools. Although this was encouraging for the future, Members remained concerned about issues in the short term.
- Local Authority leadership was important in taking this forward. The current focus was on the graduated response and school self-review.
- The Council had been very supportive in strengthening the SEND process, including a very aggressive recruitment campaign to fill vacant posts. Work was also ongoing with SENDIASS (the Special Educational Needs and Disability Information, Advice and Support Service), with one aim being to prompt SENCOs in schools to seek advice and support. There was a need for awareness across all staff in schools.
- A Member of the Panel thanked the Cabinet Member for Education and Skills for visiting his local school to discuss issues relating to SEND. He went on to ask about the Children with Disability Register which was in development. In response, the Assistant Director acknowledged that the Local Authority should have had a Register previously. The Register was now almost in place and had been built with the help of parents and carers. It was confirmed that it would not link to the assessment and planning process.
- In response to a question about whether schools were raising concerns too early and therefore

contributing to high levels of demand, the SEND Group Manager reported that in her experience parents were more likely to be pushing for a diagnosis.

- The new school inspection framework was positive news for more vulnerable learners as it looked for a greater balance between education and pastoral care.
- With reference to young people who were NEET or young offenders, Members were informed about a West Mercia Project involving collaborative work between the Local Authority and the Youth Justice Service. Work was also ongoing to support those young people who were most likely to become NEETs. The tracking of outcomes was fundamental to success in this area and in establishing what difference the local offer was making. A framework of indicators was being developed including health, education, and youth justice. This was a work in progress although the DfE had been impressed with work so far. The aim was to take this to school level so that schools could compare data. Indicators would also include exclusions, attendance and persistent absence and would allow comparison between children with SEND and all young people. It was suggested that this would be a big step forward, allowing the demonstration of the difference made at school level.
- With reference to performance data for special schools, although Babcock prime collected data for Local Authority Maintained Schools, it was confirmed that collection of data from specialist academies would be based on goodwill.
- It was confirmed that obtaining information from social care staff in relation to children with SEND could be done via the FFD and Framework-i and this was not necessarily delayed by a change of social worker.
- It was confirmed that strategic leadership from the CCG had now improved including the appointment of SEND champions. Strategic commissioning arrangements were now good and as were relationships with colleagues.
- The number of looked after children with an up to date health assessment had shown a good improvement, although it was acknowledged that it could be a challenge to get looked after children to attend.
- Members were informed that a stronger relationship with the organisation Families in

Partnership (FiP) had improved communications with parents and carers. The local offer website was also much improved. Roadshows had been held by SENDIASS and these had been well attended and included good quality conversations. There was now a need for more focussed work to allow FiP enhanced capacity to extend its reach with support from the Local Authority.

- In response to a question about when all schools' SEND provision would be judged as good, the Panel was reminded that this was a very complex system. Some schools showed excellent practice, but it was not clear why this did not diffuse to all schools. A series of district briefings was now being developed which aimed to structure communication with schools via the district council pyramids building a system where schools had capacity to provide support to each other. This system would need to be sustainable for the future. Members agreed that inter-school relationships were crucial.
- The Panel was informed that work was ongoing to simplify funding arrangements. For example, it was not always clear who should pay for a child's specialist equipment, ie the school or health services. This would be difficult to resolve completely but proposals were being developed for discussion with special schools. It was confirmed that all schools used the graduated response and managing the threshold between school provision and Local Authority provision was part of the Education, Health and Care Plan process, with a group of practitioners advising officers on decisions.
- It was agreed that, when visiting schools, it would be useful for Members to ask how schools were implementing the graduated response.
- It was confirmed that, where specialist toileting facilities were required, a capital budget was available. A cost benefit analysis would be undertaken as part of the local authority's duties to establish whether it would be possible for a child to remain in mainstream school.
- The Cabinet Member confirmed that the transport review included SEND transport.
- It was agreed that a structure chart showing staff working in SEND would be circulated to Members of the Panel.
- The Cabinet Member for Education and Skills confirmed that the £675k additional funding agreed as part of the Council's 2019/20 budget

366 Performance and In-year Budget Monitoring

would fund approximately 15 different types of post. An update on this would be included in the final Cabinet report.

The Panel was updated on performance and financial information for services relating to Children and Families.

The Chairman of the Panel reported back on a recent meeting of the Overview and Scrutiny Performance Board which had discussed provision of performance information to Scrutiny. The Board had noted that there was no consistency across the Council of how performance indicators (PIs) were presented.

In the ensuing discussion, the following main points were made:

Children's Social Care

- For future reports it would be helpful to have narrative presented next to the relevant data.
- PIs presented to the Adult Care and Well-Being O&S Panel also included a list of Directorate priorities. This would be helpful for this Panel, to allow Members to check performance against priorities and targets.
- It was confirmed that, if a child refused to take part in a 'missing from home/care' return interview, they would be invited to talk to another trusted adult. Where these interviews were initially refused but later completed by a professional other than the Missing Return Officer (eg Social Worker or Residential Care Worker) they were often not recorded. It was agreed that further thought would be given to developing a mechanism for capturing and recording these conversations.
- With reference to county lines, it was suggested that it was not helpful to record these by district. Members were reminded that this was the first time these figures had been included and the development of PIs in this area was still at the early stages.
- It was noted that the figures for children who had experienced 3 or more placements in 12 months were reducing. However, they were still felt to be too high. Members were reminded that the reality was that in an emergency a child might come into care via an emergency duty placement and then move on to a short-term foster placement. This meant they had had 2 placements straightaway.

- With reference to 'Children Starting to be Looked After - % Looked After Within Previous 12 months', Members asked if for future meetings this could be broken down by reason.
- The Panel noted the higher cost of agency residential placements when compared to in-house residential provision. Members were reminded that the challenge was to provide a permanency plan for the child, something which could not be achieved in agency residential care.
- The position in relation to the number of children Not in Employment, Education or Training (NEET) appeared to be worsening. The Service Manager for FFD and Partnerships agreed to provide further detail on the current position.
- The County Council's role in modern apprenticeships was noted, as was the involvement of schools.
- The Cabinet Member for Children and Families referred Members to the annual report of the Virtual Headteacher which he felt may be of interest. He also reminded the Panel that 19 young people who had previously been looked after by the County Council were now at university.
- It was confirmed that all foster carers were provided with financial and social work support. In addition, there were benefits that could be claimed by kinship carers that were not available to in-house foster carers. The Cabinet Member suggested that for some kinship carers there was a dilemma about whether they wanted to invite external involvement into their family. Concern was expressed that those carers who took on special guardianship orders were not eligible for financial support and could not access help from the virtual school. Members were reminded that social workers would look at what was the best arrangement for the child. A special guardianship order would provide permanency without the need for scrutiny from social care.

Education

- It was confirmed that all those schools currently rated as inadequate were subject to academy orders.
- With reference to school attendance, the Panel requested national figures to allow comparison.
- With reference to elective home education, Members were informed that since December

schools and parents were being asked to sign a new declaration. The impact of this was yet to be evaluated.

- The Panel asked that future PIs should include data for:
 - Length of time spent in a PRU (and outcomes)
 - Length of time spent with the Medical Education Team

Special Educational Needs and Disabilities (SEND)

- It was confirmed that there were no longer any outstanding statements as this had been overtaken by the Education, Health and Care Plan (EHCP) process.
- In response to a question about why the number of new EHCP requests agreed had fallen, Members were informed that a new panel was in place which was achieving greater consistency.
- It was confirmed that some EHCPs named elective home education instead of a preferred school. If elective home education was named, the local authority was obliged to support it.
- It was suggested that the presentation of the figures for 'students awaiting a special school place' needed to be re-framed to properly explain the situation.

367 Work Programme 2018/19

The Children and Families Overview and Scrutiny Panel was asked to review its work programme.

In the course of the discussion, the following main points were made:

- Further clarification would be sought on 'education otherwise' to allow Members to decide on the focus of this work. It may be necessary to set up a scrutiny task group to look at elective home education.
- It was confirmed that the Panel would have an opportunity to consider further proposals on 'short breaks for children with disabilities' on 4 June before decisions were made at Cabinet.
- Members were reminded that the Panel's September meeting had moved from 25 September to **11 September** to allow the Panel to have sight of the contract and KPIs for Worcestershire Children First.
- Members were reminded that the LGA training session on scrutiny of an arms-length body would

be held on **25 March at 1pm.**

The meeting ended at 1.00 pm

Chairman