

## Children and Families Overview and Scrutiny Panel

### Wednesday, 17 July 2019, County Hall, Worcester - 10.00 am

#### Minutes

#### Present:

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

#### Also attended:

Mr A C Roberts, Cabinet Member with Responsibility for Children and Families  
Jane Stanley, Worcestershire Healthwatch

Chris Bird (Transformation and Development Finance Manager)

Catherine Driscoll (Director of Children, Families and Communities)

Michael Hudson (Chief Financial Officer)

Hannah Needham (Assistant Director for Families, Communities and Partnerships)

Phil Rook (Director of Resources (WCF))

Tina Russell (Director (Designate) Social Care & Safeguarding)

David Townsend (Head of Quality and Improvement, Babcock Prime)

Sarah Wilkins (Interim Assistant Director for Early Help and Commissioning)

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. Presentation slides for Item 5 Pupil Attainment at KS2 (circulated after the Meeting)
- C. The Minutes of the Meeting held on 4 June 2019 (previously circulated).

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

#### 381 Apologies and Welcome

The Chairman informed the Panel that Mr B Clayton had replaced Mr R W Banks as a Member of the Panel.

Apologies were received from Mr B Allbut, Mr B Clayton, Ms R L Dent and Mr M J Hart.

382	<b>Declaration of Interest and of any Party Whip</b>	None.
383	<b>Public Participation</b>	None.
384	<b>Confirmation of the Minutes of the Previous Meeting</b>	The Minutes of the Meeting held on 4 June 2019 were agreed as a correct record and signed by the Chairman.
385	<b>Pupil Attainment at KS2: Update Report</b>	<p>The Director (Designate) Education and Early Help and the Head of Quality and Effectiveness (Babcock Prime) had been invited to the meeting to update the Panel on Pupil Attainment at Key Stage 2.</p> <p>The Panel received a presentation and Members were given the opportunity to ask questions. The following main points were made:</p>

- Support was provided to a group of maintained schools which had been identified as being of concern.
- An area-wide strategy also aimed to extend the reach of this support further.
- The challenge of raising attainment for vulnerable children remained. Vulnerable children included Looked After Children and those with Special Educational Needs and Disabilities (SEND). Although the County was closing the gap on national attainment figures, this was less true for children with SEND.
- When looking at 2018 results, Worcestershire's trajectory of improvement was better than that seen nationally but outcomes remained below national figures. A study had been undertaken of 62 schools which had just fallen short of the national figure. This had revealed that at least 50% of these schools had been judged 'good' by Ofsted at their most recent inspection.
- Work with schools showing concern also showed a positive trajectory with more schools being judged to be in the higher categories of 'secure' and 'light touch'.
- Progress scores for disadvantaged children had shown significant improvement when compared with national figures.
- Funding of £490k was available via the Strategic

School Improvement Fund (SSIF) to work with maintained and academy schools based on need. Currently, 32 schools in the County were involved in this work.

- The programme had led to real gains in terms of pupils' learning attitudes and attributes, and improved resilience. Schools' capacity for leadership had also improved markedly.
- For pupils with SEND, attainment was too low and progress was a challenge. There was a need to better understand what outcomes in special schools looked like and work was being undertaken over the summer to analyse data from maintained special schools.
- A further challenge was supporting mainstream schools in their SEND work. To date, Babcock Prime's training programme had been attended by 45 SENCOs.
- It was confirmed that some special schools were academies, although this was not typical. Members were reminded that, although the Council was not funded to work with academies, it retained the responsibility for the education of all children in the County.
- In response to a question about whether schools were spending their SEND budgets appropriately, Members were informed that this was difficult to say as the formula was complicated. This was an area that the Improvement Adviser would explore with governors and leaders.
- Concern was expressed about 'informal exclusions' and pupils being 'off rolled'. Members were assured that, in these circumstances, there were mechanisms to hold schools to account (including academies). The Chairman pointed out that schools needed to be confident about the quality of alternative provision.
- The Chairman highlighted the interesting difference between schools' attainment levels and Ofsted judgements and suggested that Ofsted may wish to look into this further.
- A Member suggested that those looking to recruit children into gangs were often more interested in pupils who were on a part-time timetable than those who had been permanently excluded. Pupils on a part-time timetable were less likely to be on the radar of the authorities as they were in school for some of the time.
- The Vice Chairman welcomed the ongoing improvement in KS2 results. She went on to ask about the impact of the 3-tier system where two

schools might be responsible for KS2. At the meeting with KS2 headteachers in October 2018, some headteachers had been critical of the lack of cohesion and collaboration between schools.

Excellent work had been carried out in Bromsgrove and it was suggested that this could be seen as a model for elsewhere in the County with the Council acting as a facilitator to spread good practice.

- Members were reminded that the picture with regard to middle schools was complicated, with different areas of the County using different systems. This was recognised by Ofsted. KS2 performance in the 3-tier system was improving at a faster rate than in 2-tier areas but this was from a lower base. The 2-tier areas were showing a slower rate of improvement, but attainment levels were closer to national figures. It was also pointed out that some of the County's strongest performing schools at KS2 were middle schools.
- In terms of collaboration between schools, Babcock held district briefings each term which were attended by headteachers. Performance data by district would be shared at these meetings. It would be recommended that headteachers should lead the process of developing phase and area networks. Headteachers needed to trust each other and initiatives should come from the bottom up, being driven by schools and guided by the Council. A Member responded that there was still a role for the County Council and she would like to see schools given a nudge to get together.
- Validated data for 2019 was not yet available. It was agreed that, once validated, the data (including a breakdown by District Council area) would be circulated Members of the Panel.
- Support for raising standards in English and mathematics remained a focus. Under the new Ofsted inspection framework, reading and mathematics would still be subject to a 'deep dive'. Babcock Prime was supporting schools via English and mathematics hubs. A Member of the Panel suggested that the advantages of reading to children should be emphasised to parents.
- The Director (Designate) informed Members that the organisational re-design for Education and Early Help would support this work. It would take time for schools to trust each other and share the challenges. She agreed that partnership with parents was valuable.

- The year-on-year improvement was encouraging but it was suggested that the authority would need to work with more schools in order to move this on.
- In response to a question about how national figures compared with other countries, the Head of Quality and Effectiveness informed the Panel that progress was being made on international comparisons but was frustrating Ministers.
- It was confirmed that Babcock Prime worked with academy schools by invitation. Academies were able to buy-in services and 95% had bought in training. It was agreed that Members would be provided with figures for the % of academies that buy-in services via Babcock Prime, broken down by service area. It was pointed out that schools which were part of an academy trust may look internally for training options in the first instance.
- A question was asked about the use of unqualified teachers in academies. It was suggested that concerns about employment practices should be raised with the regional schools commissioner.
- Members were reminded that 85% of Worcestershire schools were judged by Ofsted to be good or better, and there was very little difference between academy and non-academy schools.

### **386      Worcestershire Children First**

The Cabinet Member with Responsibility for Children and Families, the Director of Children's Services and the Assistant Director of ADM Programme and Communities had been invited to the meeting to update the Panel on developments relating to Worcestershire Children First (WCF).

The newly appointed Director of Resources for Worcestershire Children First also attended and was introduced to the Panel. The Chairman of the Panel informed Members that in a previous conversation with the Director of Resources he had assured her that the same information would be available to the Panel as previously and he envisaged a smooth transfer to the Company.

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

- WCF's Business Plan would be agreed by the Company's Board and Cabinet. The Plan would go to Cabinet in September and would be an interim plan to cover the set-up period, initially for

a period of at least six months.

- The consultation with staff who were in the scope of the TUPE transfer had now started and gave a reassurance to staff that their terms and conditions would not be changed.
- The appointment of the Council's Director of Commercial and Change as the Company's final Non-Executive Director had now been confirmed.
- It was confirmed that only part of the remit of the CMR for Education and Skills would transfer to WCF. The 'skills' remit would remain with the County Council. The Director of Children's Services confirmed that the Scrutiny Panel would still be able to hold the CMR to account on the full range of his remit.
- She went on to confirm that Councillor Roberts (CMR for Children and Families) was the statutory Lead Member for Children's Services. However, the Council would still have two CMRs and accountability would remain the same and would still be direct. The CMR for Education and Skills would be a Member of the WCF Board. She acknowledged that this was somewhat messy in terms of potential conflicts of interest and there may be occasions when the CMR for Education and Skills would have to remove himself from discussions. However, on balance, it was felt to be better for him to be a Member of the Board.
- The Company Board had met for the first time the day before. This meeting had been attended by a mix of Executive and Non-Executive Directors and had focused on setting the scene and bringing the Board up to speed, looking at the vision and values of the Company.
- It was confirmed that the Board would meet monthly with the Annual General Meeting being held in public. It was not proposed that other meetings would be in public, although this was subject to ongoing discussion.
- The Chairman of the Board had been contracted to work for 10 days per month and other Board Members for 5 days per month. Two other committees would operate underneath the Board – Audit and Risk Committee, and Governance Committee.
- Concern was expressed about the access to information implications of the Board not meeting in public. It was confirmed that the minutes of Board meetings would be publicly available. A Member suggested that it was important for Scrutiny Members to be able to see the direction

of travel for the Company.

- Most staff would see two main changes – the relocation to County Hall and IT changes such as a new email address and website. The majority of staff would have moved to their new location by the go-live date of 1 October. It was confirmed that the Family Front Door, which was currently based in Wildwood, would also be moving to County Hall once issues relating to IT systems in relation to police and health colleagues were resolved.
- Three contractual relationships were being developed – the Service Delivery Contract, the Support Services Agreement and the Governance Side Agreement. The Service Delivery Contract would be for five years with an option to extend for a further five years, and included 18 supporting schedules, four of which were considered to be the ‘key pillars’ of the contract: the Service Specification, the Financial Mechanism, the Performance Framework and the Governance Schedule. The Governance Schedule confirmed that reporting to Scrutiny would continue as now.
- Although some support services would transfer to WCF (such as performance management and elements of finance and HR), the majority would remain with the County Council and be ‘bought back’.
- Finalising the detail of the Business Plan had been delegated by Cabinet to the County Council’s Chief Executive.
- With reference to the perceived conflict of interest created by the same person acting as Director of Children’s Services and Chief Executive of WCF, Members were reminded that both roles were focused on improving outcomes for children.
- Although the process of defining the KPIs was ongoing, it was suggested that they would not be new but would be familiar to Members. Scrutiny would continue as it currently did.
- The Chairman reminded the Panel that the Chief Executive of the County Council had given an absolute assurance that Scrutiny would see no diminution of the information available.
- It was confirmed that the Strategic Commissioner for Children’s Services referred to in the agenda report had not yet been defined but was likely to be a senior officer who could be held to account.
- In response to a question from the representative of Healthwatch, it was confirmed that how often KPIs were made public would depend on the

**387      Performance  
and 2018/19  
Year-End  
Budget  
Monitoring**

- indicator. There would be quarterly reporting in the public domain.
- It was confirmed that some of the KPIs were statutory. Data would be reviewed against other Councils where they reported on the same KPI.
  - In response to a question about the involvement of children and parents, it was confirmed that part of WCF's communication plan was to work with children and young people to share the direction of travel. The Director of Children's Services confirmed that lots of work had already been undertaken and she had attended several meetings with young people. The key message was to ensure a continuity of improvement and continue to be child-centred. Members agreed that it was important to reassure young people that things would not change.
  - In response to a question about how foster carers felt about the changes, it was confirmed that the fostering service would become an Independent Fostering Agency and was currently going through the registration process. It was acknowledged that there was a risk that some foster carers would not want to work for an Independent Fostering Agency (IFA).
  - The Director of Children's Services confirmed that representatives of primary, middle and secondary schools had been briefed on the move to WCF and headteachers had not raised any major concerns. Headteachers were concerned about low funding and moving to WCF would not change this.
  - It was confirmed that work relating to the SEND improvement plan would become the responsibility of WCF.

The Chairman thanked those attending for the update and asked that this remained an ongoing item on future agendas.

The Director of Children's Services, the Director (Designate) Children's Social Care and Safeguarding, and the Chief Financial Officer attended to update the Panel on performance and financial information for services relating to Children and Families.

In the course of the discussion on social care PIs, the following main points were raised:

- This was the first full year of useful baseline data being available and gave a much more secure

picture.

- In relation to the Family Front Door, the figures reflected a national trend of rising referrals. However, it would be important to analyse the specific reasons why the County Council had seen a rise in referrals. One issue appeared to be a rise in referrals from the police that were not meeting thresholds and work had been done on why the police were not applying thresholds correctly. Similarly, there was a peak in referrals from schools in July. It would be important to understand whether this was due to professional anxiety or schools clearing out a backlog before the holidays. This had been a repeated pattern and it would now be important to identify which schools the referrals were coming from.
- A Member asked if it would be possible to include year on year averages to identify trends in seasonality.
- Social work assessments were only counted when complete. A system was now in place to monitor the assessments still open and identified those which were about to breach the 45-day target.
- A question was asked about the 23% of contacts to the Family Front Door classed as 'other'. It was confirmed that there were about 20 different 'other' sources, such as other local authorities or other social workers.
- In response to a question about why these datasets were collected, Members were reminded that there had been many conversations about which figures to include and this combination had been arrived at.
- KPIs relating to Through Care for Looked after Children and Care Leavers showed a sustained positive improvement or a positive trajectory of improvement.
- The figures for looked after children who came into care having been previously looked after within the previous 12 months related to only 12 children in the whole year and it was suggested that these were very small figures.
- It was confirmed that the Edge of Care Service would go live in September, with some staff already in place.
- Within the West Midlands region, the Council had the lowest rate of new children being taken into care. The Chairman welcomed this news and reminded the Panel that it was important to look at the actual impact on children.

- The Chairman was pleased to see the reduction in the number of children experiencing 3 or more placements in a year. The Director (Designate) informed the Panel that work on sufficiency was a focus for 2019/20.
- In response to a question about why the level of external residential placements was higher than the national average, Members were informed that this related to a shortage of specialist residential placements. The children involved had very complicated needs and an average family home was not the best place for them. As part of sufficiency work, there were plans to develop the number of specialist foster carers.
- It was confirmed that looked after children should not be excluded from school. For maintained schools, the County Council could direct the school to act. For academies, it was necessary to write to the regional schools commissioner who, on average, took 9 months to reply.
- The development of partnership working was on a journey and staff in children's social care had good relationships with the majority of schools.
- Although fewer children were being taken into care, the service would also wish to see child protection rates drop and children in need rates rise to about 50% of cases, leading to the provision of support to parents and allowing children to stay with their family.
- If a family refused to cooperate, the action taken would be decided on a case-by-case basis. In some cases, a statutory social work assessment was the push that a family needed. It was also possible to use district based, community/voluntary sector support to take things forward. Members agreed that informal support was important particularly in relation to community and youth work. Targeted family support workers needed to be aware of issues and signpost families as necessary.
- The number of children who came back onto a child protection plan within 2 years had reduced. However, this was only against a baseline from last year and there was a need to continue to build sustainable improvement.
- Average caseloads were being sustained and there was positive feedback from staff on this. The Chairman pointed out that the increase in numbers of permanent staff was very important and the Authority was becoming one that people chose to work for. The Director (Designate)

reminded Members that, as well as recruiting staff, the Authority was producing good social workers and providing a structure which gave career progression.

- It was suggested that links to the University of Worcester were good but could be improved. Members were informed about the POP project which would increase the number of placements available for student social workers.
- The CMR suggested that sickness levels were a good indicator of staff morale. The Director of Children's Services informed the Panel that sickness levels amongst social workers had halved. The Local Authority's aim was no more than 7 sickness days per member of staff per year. Currently, for social workers, the average figure was 6.47 days. The Chairman suggested that this should be commended, as social work was probably the most stressful job in local government with the most serious decisions having to be made.

The Panel went on to discuss 2018/19 year-end budget information. The Chief Financial Officer informed Members that his aspiration for future years was that Q1 information would be considered by Scrutiny Panels at this time of year. In the course of the discussion the following main points were made:

- The Year End Position was that two service areas were showing as red. This should be seen as good news. 24 months ago, the base budget had been re-balanced and it was a significant achievement to get to this level.
- Overall the budget showed a £1.158m overspend which was a significant improvement.
- A question was asked about the £0.204m overspend in Education and Skills due to an increase in staffing costs in Adult Learning. Members were reminded that Adult and Community Learning was grant funded. The service had no previous history of overspend and this situation had not been predicted. Work was now being undertaken to understand the reasons for this. It was a complicated situation as many tutors were not employed by the County Council. Internal Audit was looking into this.
- In response to a question about the future of the Public Health Ring-Fenced Grant, Members were reminded that this was not built into the base budget in order to limit risks. The Chief Financial

Officer reported it was his personal view, that there was likely to be an announcement in September which would roll over all grants to the following financial year.

- A question was asked about the overspend and how this would work next year in the context of the budget set for Worcestershire Children First. The Chief Financial Officer informed Members that the details of this were still being worked through and there would be constant dialogue between the County Council and WCF. He would meet at least monthly with WCF's Director of Resources.
- The Chief Financial Officer informed the Panel that indications to date suggested that 2019/20 Q1 was broadly within budget.
- The overspend in Home to School Transport was as a result of inflation rather than increased demand.
- It was suggested that the £8 million overspend in the DSG for High Needs Pupils was not high when looked at in the national context. It was confirmed that there had been no movement from the DfE on this and the issue remained with the Council. Members were informed that this would be a cumulative issue and other Councils were already further along the road. The Council was lobbying on this along with other County Councils. The Council could take action, but it would never be possible to address the issue without action from central Government.
- There was some evidence that the issue of the High Needs Grant was worse in rural areas. The Chairman of the Panel suggested that the Treasury and central Government needed to acknowledge what was happening in the real world. The Chief Financial Officer confirmed that, ultimately, the debt sat with the Council.
- It was confirmed that most of the expenditure was statutory and there was, therefore, very little flexibility to reduce expenditure. For the future, the risk of the financial position would remain with the Council, while much of the work would be done by WCF.
- In the Chairman's opinion, this was a national crisis that needed a massive injection of public funding.

**388      Work  
Programme  
2018/19**

The Panel was asked to review its work programme for 2018/19.

The following main points were made:

- The CMR for Children and Families asked that the Panel remembered the different roles of the Scrutiny Panel and the Corporate Parenting Board in relation to looked after children when considering its work programme. The Chairman confirmed that she was happy to involve the Corporate Parenting Board in the Panel's work as appropriate.
- The following items should be added to future agendas:
  - Feedback on the Ofsted ILACS inspection
  - Results of the consultation on Overnight Unit-Based Short Breaks for Children with Disabilities
  - Medical Education Provision
- An additional meeting in October may be necessary. Scrutiny Officers would contact Members after the meeting to check availability.

The meeting ended at 12.57 pm

Chairman .....