

Children and Families Overview and Scrutiny Panel

Wednesday, 11 September 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, Mr B Clayton, Mr P M McDonald, Mr S J Mackay and Ms T L Onslow

Also attended:

Derek Benson, Independent Chair of the Worcestershire Safeguarding Children's Partnership
Mr A C Roberts, Cabinet Member with Responsibility for Children and Families
Morag Edmondson, Healthwatch

Hannah Needham (Assistant Director, ADM Programme and Communities)
Phil Rook (Director of Resources (WCF))
Tina Russell (Director (Designate) Social Care & Safeguarding)
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 handouts for item 6 Ofsted Inspection of Local Authority Children's Services Worcestershire and item 7 Performance and In-Year Budget Monitoring (previously circulated)
- C. The Minutes of the Meeting held on 17 July 2019 (previously circulated).

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

389 Apologies and Welcome

Apologies were received from Ms R L Dent.

390 Declaration of Interest and of any Party Whip

Mrs F M Oborski declared an interest as Chairman of the Wyre Forest Local Children's Trust.

391 Public Participation

None.

392 Confirmation of the Minutes of the Previous Meeting

The Minutes of the Meeting held on 17 July 2019 were agreed as a correct record and signed by the Chairman.

393 Worcestershire Safeguarding Children Board Annual Report 2018-19

The Independent Chairman of the Worcestershire Safeguarding Children Partnership (WSCP) had been invited to the meeting to present the Worcestershire Safeguarding Children Board's (WSCB) Annual Report 2018-19. The Director of Social Care and Safeguarding also attended.

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

- Concern was expressed about potential overlap between the WSCB and the Children and Young People sub-group of the Health and Well-being Board (HWB). In response, the Independent Chairman informed the Panel that he was happy if there were small areas of overlap between the two boards, but would be more concerned if there were gaps in coverage. He confirmed that he met the Chairman of the HWB twice a year. The Director went on to confirm that she was a member of both bodies, as were the Director of Children, Families and Communities and the Director of Education and Early Help. Although there were clear links between the two boards, the new WSCP had a clear focus on safeguarding and child protection, whereas this was not the main focus of the HWB.
- A question was asked about the General Data Protection Regulation (GDPR) implications of bringing together the three named Safeguarding Partners (Chief Executive of Worcestershire County Council, Chief Constable of West Mercia Police and Accountable Officer for the Clinical Commissioning Groups). The Panel was informed that the Partnership would have an information sharing protocol and this was not something that had caused a problem previously. It was confirmed that health services would be included in the information sharing protocol.
- In relation to the WSCP's GETSAFE agenda, Members were reminded that, although the original focus of this work had been on Child

Sexual Exploitation (CSE), it was now recognised that the focus should be broadened to include other forms of exploitation. The Independent Chairman told Members that the GETSAFE agenda was one of the most innovative and ambitious projects in the country and this should be applauded. The Director suggested that the increasing numbers being identified under the GETSAFE agenda should not cause concern as it was an indication that children at risk were being identified.

- The Chairman of the Panel suggested that Members may wish to look at the website yss.org.uk to find out more about the charity's work to support young people facing significant life challenges.
- With reference to the rise in the number of Child Death Notifications, concern was expressed about whether parenting classes were reaching the right people and what else was being done to address this. The Director reminded Members that there was a link to the Health and Well-being Partnership. It was important that front line professionals who were in touch with families (for example health visitors and social workers) were aware of rising concerns in specific areas, such as excessive alcohol consumption coupled with bed sharing and smoking. It would also be important to look at the regional and national picture to assess whether the picture in Worcestershire was reflective of the national situation.
- The Independent Chairman reminded Members that the Annual Report related to the period to March 2019 and suggested that things had moved on since then. In relation to the assessment of the effectiveness of safeguarding arrangements in Worcestershire, he reminded the Panel of the significant improvement since the Ofsted Inspection in November 2016.
- He informed the Panel that he had regular meetings with the Chairmen of other Safeguarding Boards to identify mutual areas of concern. He welcomed the suggestion from central government that a national database on child deaths would be developed. This would allow the identification of national patterns and allow coordinated campaigns.
- In response to a question on whether any issues were caused by the fact that midwives, health visitors and social workers worked for three different organisations, Members were informed

that joined-up working was overwhelmingly good.

- The Neglect Toolkit to improve practice and consistency had now been launched and further work would be done in this area going forward.
- A CSE Problem Profile had now been developed by West Mercia Police and this would need ongoing data input to give a fully three-dimensional view. The Independent Chairman welcomed the work by West Mercia Police on this.
- It was suggested that the GETSAFE model could be borrowed by safeguarding partnerships elsewhere in the country as a model of good practice.
- With reference to Early Help, the introduction of the revised pathway was making positive improvements. However, there remained an issue with partners not fully understanding thresholds, although the situation was getting better. The Director suggested that this may be an issue of accepting rather than understanding. In response to a question about whether small schools in particular had an issue of capacity, it was confirmed that this was not related to school size but to school management and attitude to risk. The Independent Chairman confirmed that this was also an issue elsewhere in the country.
- A question was asked about the voice of the child and how this was represented in the work of the Board. The aim was to understand how children were experiencing services. The approach was that all children would be given the opportunity to give their view rather than simply including one or two representatives on the Board. Members were referred to the multi-agency quality assurance programme which would include key performance indicators (KPIs), audit activity and the voice of the service user. The service would also aim to tap into other consultation activity being undertaken through health, the CCGs, public health and schools.
- It was confirmed that all sub-groups of the WSCP would report back to the Executive Group and the WSCP Board would meet twice a year.
- The Independent Chairman informed the Panel that the WSCB had stepped back from the critical friend model of working. Further clarification was requested as this appeared to be a backward step. In response, Members were told that the Board had moved to a more structured way of working, something which was felt to be a better model, providing greater challenge to all partners.

The ethos of the Board acting as a critical friend remained. The Director confirmed that she was very happy to engage in critical challenge conversations. It was important to have equitable challenge of all partners not just the Local Authority. The Independent Chairman suggested that the new arrangements represented a bold way forward. There had previously been lots of scrutiny of the local authority but there was now a need to establish a more outward looking partnership.

- In relation to Serious Case Reviews (SCRs), it was critical to embed learning through a comprehensive audit regime.
- Although education was not one of the three named Safeguarding Partners in the WSCP, schools remained a key part of safeguarding arrangements. The Safeguarding Adviser - Education was a member of the Partnership's sub groups and also part of the safeguarding network.
- The role of Pupil Referral Units (PRUs) in the new partnership was questioned, as it was noted that PRUs were not represented on the WSCB. The Director of Education and Early Help was due to send a letter to all schools about the new arrangements for the Safeguarding Children Partnership and she agreed to include PRUs in this.
- The Independent Chairman referred to the different model of education representation. He informed Members that the Partnership received challenging questions from education representatives and he had noticed a shift in dynamics as understanding and acceptance of the arrangements had grown.
- Members were referred to the Summary Statement of Overall Effectiveness in the WSCB report. The Board had seen continuing improvements, although there was still much to be done and was more assured about safeguarding arrangements than in previous years.
- The Chairman reminded Members that Elective Home Education was an area that the Panel had expressed concern about and was included on the Panel's work programme. It was suggested that current legislation prevented agencies from being involved in parents' decisions to home educate. The Independent Chairman suggested that the Department for Education had recently shown more interest in home education and there was concern that decisions were being influenced by

outside pressures. As well as concerns about the academic attainment of pupils who were home educated, there were further concerns about the social needs of the child.

- Concern was expressed about increasing referrals to the Child and Adolescent Mental Health Service (CAMHS). Members were informed that there were similar concerns across the country.
- A question was asked about a lack of data from West Mercia Police in relation to the number of children charged and detained by the police. The Director of Children's Social Care and Safeguarding agreed to look at the KPI to identify any trends.
- In relation to Operation Encompass, a Member referred to a recent conversation with a local headteacher who had expressed concern that, although schools were informed when an incident of domestic violence had taken place, they were not given any further information. The Director of Children's Social Care and Safeguarding suggested that schools should be given access to the incident form which would provide a brief outline of the incident. She agreed to check the level of information given to schools when an incident was reported, although she cautioned that there was a need to be realistic about what front line officers were able to record when faced with difficult situations. The Director of Education and Early Help agreed to follow up on the particular concerns about Operation Encompass outside of the meeting.
- In response to a question about how partners other than the Council were held to account by the WSCP and previously the Board, it was confirmed that, although the mechanism was there for any of the Safeguarding Partners to be called before the Board, this had not happened to date as the focus had been on Children's Social Care. Members were reminded that in future there would be much more of a multi-agency approach.

In conclusion, the Panel was reminded that this would be the final report of the Worcestershire Safeguarding Children Board as, going forward, Partnership arrangements were in place.

The Cabinet Member with Responsibility for Children and Families and the Director of Children's Social Care and Safeguarding had been invited to the meeting to provide an update on the outcome of the Ofsted Inspection of

Children's Services Worcestershire

Local Authority Children's Services which had taken place in June 2019.

The Chairman acknowledged that a great deal of progress had been made since the last Ofsted inspection in November 2016 and welcomed the improvements that had been made. However, she asked that the discussion focussed on the challenges that remained.

The Director of Children's Social Care and Safeguarding introduced the report by way of a presentation. She made the following main points:

- The 2016 Ofsted report had exposed widespread serious failings in the service and the Authority had been judged to be at the lower end of the 'inadequate' bracket. Following the 2019 inspection, Ofsted had been clear that the service was at the top end of the 'requires improvement' range and inspectors had been very complimentary about the pace of change and the degree that change had been embedded at the same time as the Authority was developing an Alternative Delivery Model (Worcestershire Children First).
- The Service was judged to 'require improvement to be good' in all areas. It was important to emphasise that the improvement in the service was a phenomenal achievement, which was the result of 2½ years' work by every member of staff. The Chairman of the Panel agreed that this fantastic work was recognised by the Panel.
- In response to a question about whether the Service was surprised to be judged as 'requiring improvement' in all areas, the CMR replied that, although there was an outstanding leadership team in place, the judgement on 'the impact of leaders on social work practice' was also about the wider partnership leadership, including district councils and CCGs.
- There was a need for full consistency of practice across all staff and stability of management would help with this. Information was now available to allow managers to drill down to individual social worker level to identify where improvement in practice was needed. This would allow trends to be identified at an early stage.
- Joint commissioning of mental health services had not yet resulted in a clear pathway or priority of intervention for children in care or care leavers. Members were informed about a task and finish

group which had recommended that Looked After Children should be given priority for mental health services. The service was now being re-commissioned so this change could be made.

- There remained an issue with evidencing early help in some schools. Schools needed to show how they were working with children and record how many children were involved, information that was needed by the Local Authority. It was suggested that some schools did not recognise this as their role, even though it was included in legislation. The Service would continue to work with all partners on this, including specific conversations with schools. The Service was also looking to develop a bespoke 'outcome star' (an evidence-based tool for measuring and supporting change when working with people).
- It was confirmed that Ofsted had not been able to assess the Edge of Care Service as it was not yet operational.
- The issue of homelessness amongst 16- and 17-year olds was raised. It was suggested that district councils were not able to help with housing as the young people were not yet adults but, at the same time, they did not want to be looked after in care. It was important to offer a reasonable choice of provision to young people, but it was acknowledged that the Service was not there yet. It was suggested that District Councillors could have some influence in encouraging registered social landlords to offer provision to young people. The County Council was looking to grow its supported board and lodging service to offer semi-independent living for young people leaving care. However, this was not without challenge as the young people concerned were often going through difficult times and may exhibit difficult behaviours.
- When a placement was in danger of breaking down, a consolidation meeting would be held to identify any problems. A disruption meeting would be held after a child had left a placement. Ofsted had recommended that the Authority should hold timely disruption meetings in order to learn from the breakdown of placements and, although this was something that other authorities did, the Service felt that these meetings after the event were less useful than a timely consolidation meeting. A mechanism would be put in place to address the Ofsted recommendation.
- A question was asked about the quality of

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information passed on when a child moved from one placement to another. The Director acknowledged that the care provider would need to know the level of risk involved but expressed concern that too much detail may result in a child being 'labelled'.

- Members were informed that the County was shortly due to be the subject of a Joint Targeted Area Inspection with a focus on children living with mental health issues.
- In response to a question about how other Councils worked with housing providers, Members were informed that there was no magic answer. Often success was related to the shape and influence of partners. The County Council had a working group which met with housing providers to discuss provision. This related to a small cohort of very challenging young people who were difficult to place. It was suggested that there was a need to access the private landlord market and this may be something that district councils could help with.
- Concern was expressed that lack of funding had led to the potential closure of St Basils in Rubery, a successful project providing housing support for young people.
- It was suggested that, from the perspective of Children's Services more accommodation was needed. This was an area of focus for the Corporate Parenting Board.
- In the light of the Ofsted report, a 'Plan on a Page' had been developed which would act as the Business Improvement Plan for the Service. It was agreed that this would be circulated to Members of the Panel.

In conclusion, the CMR expressed concern that partners were not always working to shared objectives. At Corporate Parenting Board, it would be important to change the question from 'what will you do' to 'what can I do'. This was especially important for district councils in relation to leisure, housing and council tax.

The Panel was updated on performance and financial information for services relating to children and families.

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

SEND

- In January 2019, the number of Education, Health and Care Plans (EHCPs) completed in time was very poor. Since then the service had been restructured and seen significant investment. There were now more SEN caseworkers and performance had improved, although the need to look at performance data remained. Staffing was still not at 100% and it was proving difficult to recruit to vacant posts as they were not part of a recognised profession.
- The latest available figures showed 68% of EHCPs completed in time which was a good return on the investment, but still needed to improve. There was a need to look at the other 32% to identify why there had been a delay.
- It was agreed that the PI relating to the Number of Outstanding Statements (of SEND) should be removed from the PIs as it was no longer relevant.
- It was suggested that the indicator relating to the number of students currently awaiting a special school place was not useful data and needed refining for relevance. It related to the number of requests from parents for children to attend special schools rather than the number of children assessed as needing to attend a special school. It was also indicative of the need to build confidence in the mainstream sector.
- The Chairman expressed concern that children with an EHCP could be home educated. The Director of Education and Early Help informed the Panel that this group of children were a focus of 'Missing Monday' meetings, which looked at the suitability of the education being provided.
- In response to a question about whether there was a need for additional special school places in the County, the CMR suggested that overall there was over-provision, although he acknowledged that there may be a disparity between the north and south of the County. The main objective remained inclusion as far as possible.
- It was suggested that in some cases there was a lack of trust between parents of children with SEN and the Local Authority. It was acknowledged that the challenge was to improve joined-up working across the system and develop parents' trust that the SEN service would work for their child. Although the recent focus has been on those with more complex needs, graduated response guidance had now been issued to schools. This aimed to increase understanding of what early intervention was available.

- It was clarified that the figures relating to the number of EHE pupils with SEN support related to children who were assessed as needing SEN support rather than those receiving support. This PI would be retitled for future meetings.

Education

- Concern was expressed about the reduction in the number of secondary schools judged as good or outstanding by Ofsted. Members were reminded about the introduction of the new Ofsted inspection framework. Schools which had previously been judged as outstanding would now be subject to a full inspection. The Director of Education and Early Help agreed to provide more information on why the number of good and outstanding schools in the County had dropped.
- Members asked to be advised whether schools which had been judged as inadequate would be taken over by Multi-Academy Trusts.
- The Director of Education and Early Help agreed to confirm the County's target for school attendance with Panel Members following the meeting. It was confirmed that term-time holidays would be recorded as an unauthorised absence.
- The Chairman asked how many children who were electively home educated became NEET (Not in Education, Employment or Training). She went on to express concern that the Post-16 Team, which in the past had supported this cohort of children, no longer existed. Children who had been home educated may not be equipped to go to college post-16. The Director reminded Members that the focus was on young people who had vulnerabilities. There was a need to ensure that, as they moved towards independence, they were able to access the right support.
- The Chairman noted the improvement in the % of school-aged looked after children with an up to date PEP.
- In response to a question about why the number of permanent exclusions had risen in June 2019, the Director informed the Panel that work would be done to understand who these children were and the reasons behind the exclusions. Work was also being done on tracking schools to allow targeted work.
- The number of pupils on part-time timetables was under-reported and, as a result, it was difficult to get the full picture. Schools needed to be aware

of their responsibilities and the vulnerabilities of these children.

Family Front Door

Performance in relation to Children's Social Care had been discussed as part of Item 6 Ofsted Inspection of Local Authority Children's Services Worcestershire. Therefore, it was agreed that no further discussion was needed.

It was noted that the % of looked after children in residential placements was higher than the national average. Members were informed that the national figures related to last year and so the comparison was not like with like.

In-Year Financial Information

The Director of Resources (WCF) reported that figures for the end of July indicated that the predicted overspend for 2019/20 was coming down. The Directorate was doing well in managing its finances.

With reference to the Dedicated School Grant, the High Needs shortfall remained something the County Council had in common with other local authorities. Work was ongoing with the Schools Forum on this. The Government had recently announced an additional £700m would be available to local authorities but this only covered one year. The Council would continue to lobby on this through the Society of County Treasurers.

The Chairman reminded the Panel that the Director of Resources (WCF) had confirmed that he was happy to attend future scrutiny meetings and Members would continue to receive the same levels of information following the launch of WCF on 1 October.

396 Worcestershire Children First

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

By way of introduction, the following main points were made:

- On 5 September, Cabinet had been asked to approve the Interim Business Plan for WCF and

been updated on preparations for 'go live' on 1 October.

- The Company was on track to 'go live' on 1 October with contracts being 85% ready. The contract for the Company would be for 5 years with an option to extend for a further 5 years. If the Council decided to extend the contract it would need to give the Company 12 months' notice. A 'no fault' termination clause had been included, with again 12 months' notice being required.
- A Service Specification had been developed which set out 'what' not 'how'.
- The Performance Framework set out how the Council would hold the company to account. It was agreed that, once finalised, KPIs would be shared with the Scrutiny Panel.
- The Finance Mechanism outlined in detail the obligations on both parts. A collaborative agreement was in place between the Council's Chief Financial Officer and WCF's Director of Resources which would include regular dialogue to ensure realistic expectations in relation to funding.
- The Governance Schedule set out how the Company would participate in the democratic process including Scrutiny.
- A number of practical elements had also been progressed, including payroll which had been subject to rigorous testing and was ready to go.
- An interim Business Plan had been developed for the first six months and a revised version would be presented in March 2020.

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

- The Chairman welcomed the thorough report and informed Members she was reassured that the Panel would continue to have access to all the information it needed.
- She reminded Members that WCF staff were in the process of moving to County Hall and welcomed the fact that all staff would be together in one building, something which would facilitate face-to-face communication. The Director of Children's Social Care and Safeguarding reminded Members that it would not be possible for staff from West Mercia Police to move to County Hall until March 2020 due to issues with IT software licenses. The Assistant Director agreed to arrange tours of WCF offices for any interested

397 Work Programme 2018/19

Members.

- The CMR for Children and Families recommended that Members reminded themselves of the Reserved Matters outlined in the Business Plan. The County Council would retain responsibility for these areas following the launch of the Company.

The Panel reviewed its work programme for 2018/19. Members were reminded that:

- The proposals on Future Provision of Overnight Short Breaks for Children with Disabilities would be discussed by the Panel on 25 September.
- A date to discuss the New Model of Delivery for Medical Education Provision was still to be decided.
- A task group to look at elective home education would be set up in due course.

The meeting ended at 12.40 pm

Chairman